

**South Carolina Board of Barber Examiners
Board Meeting
9:00 a.m., October 8, 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; Eric Thompson, Office of Investigations and Enforcement (OIE); Charles S. Gwynne, Jr., Office of Disciplinary Counsel (ODC); Sharon Wolfe, Office of Investigations and Enforcement (OIE); Tina Behles, Court Reporter

3. Approval of Excused Absences

There were no absences.

4. Approval of Agenda

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

5. Approval of Meeting Minutes

August 13, 2018

Dr. Evans made a motion to approve the meeting minutes from the August 13, 2018, board meeting and it was seconded by Mr. Edwin Barnes. The motion carried.

6. Chairperson's Remarks – Paul E. Robinson – There were no remarks. Chairperson Robinson requested a moment of silence for the officers killed in the city of Florence on last week.

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

- a. **Budget/Drawdowns** – For Information – This was for informational purposes only and there were no questions.
- b. **OIE Report** – For Information - Sharon Wolfe - From January 1, 2018, through October 1, 2018, there have been 104 incoming cases. Of those, there are 10 cases still active. Since January, 52 cases have been closed.
- c. **IRC Report** – For Approval - Sharon Wolfe – Ms. Patton made a motion to approve the IRC report. It was seconded by Dr. Evans. The motion carried.
- d. **ODC Report** – For Information – Charles S. Gwynne, Jr. - Currently, there are 35 open cases.
 - 29 (pending action agreement)
 - 3 (pending consent agreement/memorandum of agreement)
 - 2 (pending Board hearings)
 - 1 (pending IRC)
 - 5 (closed since August of this year)

An inquiry was made on statute limitations. There are no statute limitations on cases.

- e. **Inspection Report** – For Information – Eric Thompson - In August, there were 123 barber shops and 9 barber colleges inspected. In September, there were 69 barber shops and 1 barber college inspected. There have been a total of 901 barber shops inspected this year. There are currently 34 active barber colleges.

8. Old Business

Ms. Patton stated that the NABBA conference is Kansa City, Missouri, had great attendance and that there were close to 20 new delegates there. During the conference, they worked on cleaning up and working on policies and procedures. The new CEO has hunkered down as far as having everything transparent financially. After everything was paid for, there was a profit of close to \$20,000. Mr. Edwin Barnes was in the 2011 Hall of Fame book that was issued. You do not have to sit on the Board to be in the Hall of Fame. For the February conference, the choices are Louisiana or Tennessee. The new president is Mr. Michael Belton. Next September, the NABBA conference will be in Reno, Nevada.

Dr. Evans inquired about the task force meeting. Currently, there are no real updates and no target completion date. Once the statutes are reviewed, it will come before the board for discussion.

There will be an official state barber day that will be recognized every third Wednesday in February. There is a senator that will also be reintroducing the bill for the barber pole.

Nothing has been done yet with the Barber of the Year. A discussion is needed in the rules and guidelines that will be set forth.

9. New Business

a. Consideration of Licensure

i. Lonnie West, Jr.

Mr. Lonnie West, Jr. came to the board meeting seeking approval to have his Registered Barber license reinstated with a criminal background record. He was represented by Attorney John Shuppert. Mr. West has completed pre-trial intervention as he was a first time offender. His record may be expunged after the pre-trial intervention has been completed.

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

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

Chairperson Robinson made a motion to grant the reinstatement of the Registered Barber license for Mr. Lonnie West, Jr. Mr. West will be on a probationary period until the pre-trial intervention has been completed. If the pre-trial intervention is not completed, he will need to reappear before the board. The motion was seconded by Dr. Evans and it carried.

Attorney John Shuppert will send over the information once the pre-trial intervention has been completed.

ii. Cory Cureton

Mr. Cory Cureton came before the board seeking approval of his upgrade application to become a Registered Barber. He has a criminal background record and falsified information on his initial application. Mr. Tony Taylor served a witness for Mr. Cureton. When asked about falsifying information, Mr. Cureton stated that he may have been too excited and did not read or pay attention to what he was doing. Mt. Taylor testified that Mr. Cureton was a former student of his in 2014 and that he would love to see him upgraded and teaching at his barber college in three years. Mr. Cureton is not on any probation or parole currently.

Dr. Evans made a motion to approve the upgrade for Mr. Cory Cureton and it was seconded by Ms. Patton. The motion carried.

b. Consideration of 3rd Student Permit

i. Tony Jenkins

Mr. Tony Jenkins came before the board seeking approval to obtain a third student permit.

Mr. Jenkins is unfamiliar with the process of on-the-job training for barber students and feels as though he has been bullied by barber instructors. None of his hours were sent in for the first permit and for the second permit, hours didn't get sent in until after three months of starting. This was based off an

inspector coming in. Mr. Eric Clark, the current instructor, is in good standing with the board. Mr. Jenkins has 1,296 hours on file.

Dr. Evans made a motion to approve Mr. Tony Jenkins to obtain a third student permit. The motion was seconded by Ms. Patton and it carried.

A discussion ensued on how the barber on-the-job training should work with Mr. Jenkins.

Mr. Barnes mentioned the overview training that used to be conducted several years ago.

ii. X-Xavier Williams

This consideration will be rescheduled for the December board meeting.

c. Consideration of New Schools/School Changes

i. New Trendz Barbering Academy

Ms. Dorothy Jones represented New Trendz Barbering Academy and came before the board seeking approval to open the academy as a new barber college. This school will offer a Master Hair Care Specialist and a crossover program. There are two curriculums that were submitted. It is a change of ownership and name. There will be two instructors, including herself.

The current students at the school will receive a corrected permit at no expense to the students.

A motion was made by Dr. Evans to approve New Trendz as a barber college, pending inspection by a state inspector and board member, and it was seconded by Mr. Barnes. The motion carried.

10. Hearings – Charles S. Gwynne, Jr.

i. 2018-18

This case was in the matter of Ms. Rhonda Boozer whereas there were individuals who had expired licenses and sanitation problems in her barbershop. She owns the building that is licensed as the barbershop, Artistic Cutters, and there are several licensees from the Board of Cosmetology and the Board of Barber Examiners that work under that barbershop license. A memorandum of agreement was signed on the morning of the hearing. Mr. Stan Buford, state inspector for the agency, served as a witness for this case. Ms. Boozer received a 90 on the inspection report, which was passing. The inspection report has recently been updated. Ms. Boozer stated that it was suggested by the agency (LLR) to be licensed the way she has it set up. She also stated that each licensee has their own business license as well.

The violations seen are listed below according to the Code of Laws and the Code of Regulations:

- 40-1-110(1)(c)
- 40-7-110
- 40-1-110(1)(k)
- 40-1-110(1)(f)
- R. 17-50(4)

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

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

Chairperson Robinson made a motion to accept the memorandum of agreement for case 2018-18, along with the stipulated facts. A fine was given in the amount of \$250, to be paid within 30 days. The state proved that Ms. Rhonda Boozer was in violation of 40-1-110(1)(c). The motion was seconded by Dr. Evans and it carried.

ii. 2018-69

This case was in the matter of Mr. David Hemphill and the violations made with unlicensed practice and student daily hours not being properly kept in his barbershop. A memorandum of agreement was

signed. Mr. Hemphill stated that he is new to on-the-job training for student barbers. HE was unaware that the hours needed to be kept at the barbershop

The violations seen are listed below according to the Code of Laws and the Code of Regulations:

- 40-7-110
- 40-1-110(1)(k)
- 40-1-110(1)(c)
- R. 17-14(g)

Ms. Patton made a motion that the state proved both cases (allowing unlicensed practice and failure to keep hours) for case 2018-69. The memorandum of agreement was also accepted. Mr. Hemphill was fined \$250 (\$125 for both violations) and this must be paid within 30 days. The motion was seconded by Chairperson Robinson and it carried.

11. Board Member Reports

The on-the-job-training overview was mentioned. It may be held on a monthly basis. This review is to ensure that on-the-job training instructors and their students are aware of their responsibility as the fail rate is high. This will be prior to the students receiving their permits. It worked previously and the training lasted about an hour. Ms. Theresa Brown, Board Administrator, has already started with something similar to let the instructors and the permittee know what is required of them. Per the Code of Regulations, an overview training may be conducted (section 17-8). The staff may go ahead and implement this regulation. It cannot be voted on as it is not on the agenda.

The Board approved the entire test at the August meeting.
Core areas cannot be changed.

With the Registered Barber practical examination, below are the additional areas that were not on the past exam and previously approved in August. The areas below may now be eliminated:

- Work Area and New Client Preparation, and Set Up of Supplies (Second client, 15 minutes, 4 tasks)
- Blood Exposure Procedure (10 minutes, 8 tasks) – only examine if there is an event and if not handled properly, you will be scored on that.
- Scalp Massage (10 minutes, 5 tasks)

With the Master Hair Care Specialist practical examination, below are the additional areas that were not on the past exam and previously approved in August. The areas below may now be eliminated:

- Work Area and New Client Preparation, and Set Up of Supplies (Second client, 15 minutes, 4 tasks)
- Blood Exposure Procedure (10 minutes, 8 tasks)
- Predisposition Test and Strand Test with Simulated Product (10 minutes, 6 tasks)
- Scalp Massage (10 minutes, 5 tasks)
- Highlighting with Foil (15 minutes, 7 tasks)

A motion was made by Dr. Evans to opt out of the areas stated for the Registered Barber and Master Hair Care Specialist practical examinations. The motion was seconded by Ms. Patton and it carried. This should be implemented in December of this year.

The shaving portion of the exam has variables; it will be strokes five strokes (strokes 1-5). The neck shave is an addition as well.

Validation would from a health professional is needed for ADA accommodations. The testing agency should be making the accommodations. The medical issue has to be made known in advance.

12. Discussion

There was no additional discussion.

13. Public Comments

There were no public comments.

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 11:15 a.m.

The next meeting of the S.C. Board of Barber Examiners is scheduled for December 10, 2018.