

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

Chairman Paul E. Robinson called the meeting of the S.C. Board of Barber Examiners to order. Other Board members participating in the meeting included:

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

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

3. Approval of Excused Absences

N/A

4. Approval of Agenda

Ms. Renee Patton made a motion to approve the meeting agenda and it was seconded by Mr. Edwin Barnes. The motion carried.

5. Approval of Meeting Minutes

December 11, 2017

Mr. Barnes made a motion to approve the meeting minutes for December 11, 2017, and it was seconded by Ms. Patton. The motion carried.

6. Chairperson's Remarks – Paul E. Robinson – Chairperson Robinson asked that a moment of silence be conducted for the victims of the recent Amtrak accident. The task force meeting is getting off to a really good start and the stakeholders were very vital in contributing their perspectives on the direction of the statute.

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

- a. **Budget/Drawdowns** – For Information – Ms. Theresa Brown, Board Administrator, will need to meet with the chairperson for the travel budget for next year.
- b. **OIE Report** – For Information - Sharon Wolfe – For cases received between January 1st and February 9th, there is 1 active, 1 closed, and 4 'do not open' cases. There are 5 total active cases. For cases closed between January 1st and February 9th, there are 4 closed and 5 'do not open' cases. The alleged issues consist of unknown, non-compliance, unlicensed practice, unprofessional conduct, and other/not classified.
- c. **IRC Report** – For Approval - Sharon Wolfe – The IRC meeting was canceled, so there is no report.
- d. **ODC Report** – For Information – Kyle Tennis – There are currently 17 cases in ODC.
 - 9 (Pending action)
 - 7 (Pending response, consent, or memorandum of agreement)
 - 1 (Pending hearing)
 - 8 (Closed since December of last year)
 - 94 (Closed during the calendar year of 2017)
- e. **Inspection Report** – For Information – Eric Thompson – Mr. Thompson thanked Chairperson Robinson for inviting them to the task force as they take what the inspectors propose seriously. In December, there were 68 barbershop inspections conducted. There were also 6 school inspections conducted. For the total year, there were 1,299 inspections conducted. In January, 81 barbershop inspections were conducted with 3 school inspections. Chairperson Robinson inquired about Saturday inspections being done as it would go a long way to help deter unlicensed practice. It has been proposed and accepted by supervision, but is now a matter of when the inspectors would like to begin. Dr. Frederick Evans inquired about how the data is used from the inspection reports. It is used to make proposals to the task force to improve the overall inspection process.

8. Old Business

There was no old business.

9. New Business

a. Application Hearings

i. Edward Aundraus Williams

Mr. Williams was seeking approval to obtain a Master Hair Care Specialist Apprentice license with a criminal background record. Ms. Candace Jones served as a witness for Mr. Williams. Mr. Williams is on probation until January of 2021.

Ms. Jones has known him for the past two years and stated that he is very dependable. She also helped him prepare to take the board examinations and does not think the incident should be held against him.

Ms. Patton made a motion to grant Mr. Edward Williams his Master Hair Care Specialist Apprentice license with conditions that run concurrent with his probation. The motion was seconded by Dr. Evans and it carried. Mr. Williams stated that his probation may be ending a lot sooner than the given date. If the probation does end sooner, he must provide the documentation to the LLR office to have his apprentice license taken off of probation.

ii. Nicodemus Duane Livingston

Mr. Livingston was seeking approval to obtain a Registered Barber Apprentice license with a criminal background record. Mr. Demetrius James served as his witness. Mr. Livingston gave the background story of how he was introduced into the barbering industry and how he now wants to be a role model for his children and the youth in the community.

Mr. James stated that Mr. Livingston has a good support system and that he has seen major improvements in Mr. Livingston in the past 6 or 7 years.

Ms. Patton made a motion to grant Mr. Nicodemus Livingston his Registered Barber Apprentice license and it was seconded by Dr. Evans. The motion carried.

iii. Sherwood Adams

Chairperson Robinson had to recuse himself from the hearing as Mr. Adams was one of his former students. Mr. Adams was seeking approval to obtain a Master Hair Care Specialist Apprentice license with a criminal background record. Ms. Quinda Richardson served as his witness. Mr. Adams would like a second chance in life. Ms. Richardson stated that Mr. Adams has not allowed his past to affect his future. He cares about people and has a strong foundation in the Orangeburg community.

Dr. Evans made a motion to grant Mr. Sherwood Adams licensure as a Master Hair Care Specialist Apprentice and it was seconded by Mr. Barnes. The motion carried.

b. Consideration of a New Barber School/Program

i. Provision Barber Academy

Mr. Richard Adams represented Provision Barber Academy and was seeking approval of a location change for their barber school as they have to go into another lease. The ultimate goal is to purchase and own their own facility, but it takes capital. The school has four instructors that will work on different days of the week. Once the school's location change has been approved by the Board, the school administration will go through the process for veterans' assistance approval, so that they may get the GI Bill in place. They have three walls that need to go up before they are ready to open.

A motion was made by Dr. Evans for the approval of the location change for Provision Barber Academy, pending an inspection from a Board member and a state office (LLR) inspector. The motion was seconded by Ms. Patton and it carried.

ii. Academy of Barber Training

Ms. Genia O'Bryant represented the Academy of Barber Training and was seeking permission to offer an instructor course. This course would consist of how to teach, preparing lesson plans, etc. The Board does not have the statutory authority to approve or disapprove the course as licensees are not required to take an instructor course. Ms. O'Bryant would also like to be considered as a Methods of Teaching instructor and

feels as though she is more than capable, although she does not have a four year degree. The Board appreciates her pioneering spirit.

c. Consideration of Barber Inspection Form

The Board and staff members were given copies of the inspection form. Currently, there is no mechanism to fail someone on inspections with the current form. The Board has been asked to look at the revision of the inspection report. The form is based on a demerit system, beginning with 100 points. The inspection is based on the safety and sanitation of the barbershop, along with the barbershop license and the licenses of the individuals working in the barbershop. The goal of the revision is to clarify, for the practitioners and the inspectors, what the inspectors would be looking for during an inspection. The Board wants to give the inspectors citation authority. Changes were recommended with the update of the grading scale.

Dr. Evans made a motion to adopt the changes of the inspection report and it was seconded by Ms. Patton. The motion carried. The information pertaining to the updates will be posted to the agency website and an e-blast will go out as well. The next step will be putting dollar values to the citations.

d. Consideration of Early Testing

There are currently challenges with first time applicants passing the examinations. The statute does not require the full completion of barber hours to sit for the examination. This will give barber school students the eligibility to take the examination after obtaining 1,350 hours. It will be the same thing with the on-the-job training students to test with 150 hours left to complete the program or work on test preparation. The on-the-job training students' pass rates in 2016 was approximately 20%. The student cannot gain licensure until they complete all of the requirements. This will strengthen the industry's training. Feedback was given from school owners that attended the meeting and the Board members. There was no complete consensus, so this item will be brought up at the next Board meeting.

e. Statement of Economic Interest

Each Board member must submit their information. It is due by March 30th.

10. Hearings – Kyle Tennis

i. 2017-35

This was in the matter of Ms. Karen Shabazz. Ms. Jennifer Stillwell, who served as a witness for the state, inspected the college on February 16, 2017. There were no students present at the school, but there was a licensed Master Hair Care Specialist providing services to the public, using the school as a barber shop. This is a violation to the S.C. Code of Regulations 17-14(h).

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

Ms. Patton made a motion 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.

A motion was made by Dr. Evans that the state proved its case regarding the facts and violations alleged. A \$100 fine will be levied, to be paid within 30 days. There will also be public reprimand. Mr. Barnes seconded the motion and it carried.

11. Board Member Reports

There were no reports.

12. Public Comments

There were no comments.

13. Adjournment

Dr. Evans made a motion to adjourn the meeting and it was seconded by Ms. Patton and Mr. Barnes. The motion carried.

The meeting adjourned at approximately 11:30 a.m.