

**South Carolina Board of Barber Examiners
Board Meeting
9:00 A.M., December 14, 2015
Synergy Business Park, Kingtree Building
110 Centerview Drive, Conference Room 108
Columbia, South Carolina**

Meeting Called to Order

Public notice of this meeting was properly posted at the S.C Board of Barber Examiners, Synergy Business Park, Kingtree 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.

Rules of the Meeting Read by the Chairman

Pledge of Allegiance

Board Members Present

Chairman Paul Robinson called the meeting of the SC Board of Barber Examiners to order. Other Board members participating in the meeting included: Dr. Fredrick Evans, Patricia Durkin and Renee Patton.

Staff Members

Staff members present included: Mary League, Advice Counsel; Theresa Richardson, Administrator; Bridget Richardson and Roz Bailey-Glover, Administrative Staff; Tina Behles, Court Reporter; Robbie Boland; Inspector Sharon Wolfe, Office of Investigation (OIE), Tracey Perlman, Office of Disciplinary Counsel (ODC)

Approval of Excused Absences

Motion

Renee Patton made a motion to approve the absence of Edwin Barnes. Patricia Durkin seconded the motion, which carried unanimously.

Approval of Agenda

Mr. Robinson requested that agenda item 9 (a) (i) be moved after chairman's remark.

Motion

Patricia Durkin made a motion to change the agenda. Renee Patton made a motion to approve the changed, which carried unanimously.

Approval of Minutes-October 12, 2015

Motion

Patricia Durkin made a motion to approve the October 12, 2015 minutes. Renee Patton seconded the motion, which carried unanimously.

Chairman's Remarks - Paul Robinson

Happy Holidays

New Business

Clarification of Requirements for Student Permit Issuance

Fairfield Career and Technology Center

Mr. McKnight appeared before the Board to seek clarification on the requirements for a student permit. Mr. Robinson stated that a student can be 15 years old to apply for a student permit, but the student must be 16 years of age and have completed the 9th grade before they can take the examination.

Administrator's Remarks - Theresa Richardson

Budget

Board is moving in the right direction.

OIE Report- Sharon Wolfe

Sharon Wolfe presented the OIE case report from January 1, 2015-December 8, 2015. There were a total of 46 cases received during the above time frame which included: 2 cases in active investigation, 10 closed cases, 28 cases marked do not open, 3 cases pending IRC and 3 cases pending Board Action. Additionally there were a total of 1 unknown, 15 allowing unlicensed person to practice, 2 failure to maintain/provide records, 2 fraud in obtaining license or credentials, 15 non-compliance with Statutes and Regulations, 15 non classified and 22 unlicensed practices. There were a total of 25 closed cases and 31 do not open cases.

IRC Report-Sharon Wolfe

Sharon Wolfe presented the IRC report from December 1, 2015 citing 1 cease and desist, 1 formal complaint and 1 letter of caution.

Motion

Dr. Evans made a motion to approve the IRC report. Renee Patton seconded the motion which carried unanimously.

ODC Report- Tracey Perlman

Tracey Perlman presented the ODC report stating that, as of December 9, 2015 there were 15 open cases, 13 pending actions, 2 pending hearing and 8 closed. After September 16, 2015, 8 cases were closed.

Inspection Report- Robbie Boland

Robbie Boland presented the inspection report stating that September of 2015 there were 95 shops where an inspection was attempted, 28 shops that were closed at the time of inspection and 67 shops were actually inspected. October of 2015 there were 98 shops where an inspection was attempted, 25 shops that were closed at the time of inspection and 73 shops were actually inspected. November of 2015 78 shops where an inspection was attempted, 23 shops that were closed at the time of inspection and 55 shops were inspected.

Mid-Winter Conference 2016

Renee Patton and Paul Robinson will be attending the Mid-Winter Conference in South Padre Island, TX.

Motion

Patricia Durkin made a motion to approve Renee Patton and Paul Robinson to attend the Mid-Winter Conference. Dr. Evans seconded the motion which carried unanimously.

PSC Examiner Training and School Overview

The overview will be held June 25-26, 2016 at The Inn@ USC Wyndham Garden in Columbia, SC. All Board members are encouraged to attend.

Old Business

Renee Patton stated that BarbInc doesn't want licensees' personal information. The Board members wanted to know why there is no reciprocity agreement between North Carolina and South Carolina. Ms. Theresa Richardson asked Renee Patton to send her the information in email and she will set a date to discuss the process.

Motion

Renee Patton made a motion to enter executive session. Patricia Durkin seconded the motion which carried unanimously.

Motion

Renee Patton made a motion to enter back into regular session. Patricia Durkin seconded the motion which carried unanimously.

During executive session legal advice was given for processing of applications. No motions were made and no votes were taken while in executive session.

New Business

Consideration of Licensure with Criminal Background History

Takemia Wilson

Ms. Wilson appeared before the Board regarding the reinstatement of her hair braider registration. Ms. Wilson was arrested for disorderly conduct; she is not on probation and paid her fines. Ms. Wilson has not been arrested since July 4, 2014.

Motion

Renee Patton made a motion for Ms. Wilson's hair braider registration to be reinstated. Dr. Evans seconded the motion which carried unanimously.

David McKie

Mr. McKie appeared before the Board regarding the reinstatement of his registered barber license and instructor endorsement application. Mr. McKie was arrested for DUI on August 8, 2013. He completed community service and paid fines. Mr. McKie has no pending charges.

Motion

Renee Patton made a motion for Mr. McKie's registered barber license to be reinstated and granted the barber instructor license to be endorsed. Patricia Durkin seconded the motion which carried unanimously.

Jacobie Grace-Reginal Bethea and Otelia Bethea

Mr. Grace appeared before the Board regarding the reinstatement of his registered barber license. Mr. Grace stated that he enjoys cutting hair and having his barber license reinstated will allow him to make money the legal way too provide for his family. Mr. Bethea spoke about Mr. Grace's work ethics during his barber training. Mr. Bethea stated that Mr. Grace was an excellent student. Ms. Bethea also spoke on behalf of Mr. Grace; stating that he's currently living with her and having his barber license reinstated will assure him a job opportunity.

Motion

Patricia Durkin made a motion for Mr. Grace's registered barber license to be reinstated. Renee Patton seconded the motion which carried unanimously.

Christopher McCaleb

John Shupper Esq., Mr. McCaleb's attorney, made a request for a closed hearing.

Motion

Mr. Robinson approved the request.

Motion

Renee Patton made a motion to enter executive session to receive legal advice. Patricia Durkin seconded the motion which carried unanimously.

Motion

Patricia Durkin made a motion to enter back into regular session. Dr. Evans seconded the motion which carried unanimously.

During executive session legal advice was given regarding the reinstatement of Mr. McCaleb's barber license. There were no motions made or votes taken while in executive session.

Motion

Patricia Durkin made a motion for Mr. McCaleb's registered barber license to be reinstated with the following conditions he must notify the Board of the disposition of his charge immediately. If the charges are dismissed, there will be no additional condition on his license. If he pleads guilty or found guilty of the charges; he must appear before the next Board meeting. Dr. Evans seconded the motion which carried unanimously.

Hearing-Tracey Perlman

Dr. Evans made a motion to amend the agenda for hearing 2014-25. Renee Patton seconded the motion which carried unanimously.

2014-25

Mr. Harris requested a continuance since his attorney wasn't present. A continuance was granted.

2015-10 was continued.

Consideration of Third Student Permit

Dennie Anderson

Mr. Anderson didn't appear before the Board in regards to the request for a third student permit.

Deven George Joseph

Mr. Joseph appeared before the Board to obtain a third permit. Mr. Joseph stated the first and second student permit were taken due to the building closing. He's requesting a third student permit to be in a more stable environment at Family Affair Hairstyling Center.

Motion

Renee Patton made a motion to approve the third permit. Dr. Evans seconded the motion which carried unanimously.

Jermaine Simmons

Mr. Simmons appeared before the Board to obtain a third permit. Mr. Simmons stated his first permit was with Harley's Beauty & Barber Career Institute. The second permit was with Your Professional Image a due to financial obligations, he had to stop going to school. Upon returning back to school the student permit had expired; therefore, Mr. Simmons is requesting for a third permit.

Motion

Dr. Evans made a motion to approve the third permit. Renee Patton seconded the motion which carried unanimously.

Patricia Burrell

Ms. Burrell requested to appear before the next Board meeting in regards to her third student permit.

Jeanella Jackson

Ms. Jackson appeared before the Board to obtain a third permit. Ms. Jackson stated she wants a third permit to finish the barber program so that she can give back to the community. Her job schedule caused her not to complete the prior training. She took a second shift position to finish school.

Motion

Dr. Evans made a motion to approve the third permit. Renee Patton seconded the motion which carried unanimously.

Joshua Burgess

Mr. Burgess didn't appear before the Board in regards to the request for a third student permit.

Lecretia Herring

Ms. Herring stated health issues and financial hardship caused her not to complete the barber training.

Motion

Dr. Evans made a motion to approve the third permit. Renee Patton seconded the motion which carried unanimously.

Marcus Champion

Mr. Champion appeared before the Board to obtain third permit. Mr. Champion stated going to barber school and working third shift was not working out for him. Mr. Champion decided to switch to on-the-job training to better support his family financially.

Motion

Renee Patton made a motion to approve the third permit. Patricia Durkin seconded the motion which carried unanimously.

Consideration of a School Change

Aiken School of Barbering

Ms. Morrison appeared before the Board to change her barber school name from Aiken School of Barbering to Aiken School of Cosmetology and Barbering. Ms. Morrison is changing the school’s name to start receiving financial aid from the Department of Veteran Affairs.

Motion

Dr. Evans made a motion to approve the school name change. Patricia Durkin seconded the motion which carried unanimously.

Consideration of Proposed Update to SC Code of Regulations

17–8. Barber Students, Applications, Permits, Training, Progress Reports and Examinations.

1. Every person desiring to train in a barber school or college, or under the personal supervision of a registered barber, shall file an application for student permit to take the training. Such application shall be on a blank form furnished by the Board and shall be signed by the applicant and official of school or college or registered barber under whom the applicant desires to train. The prospective student who desires to train under the personal supervision of a registered barber shall meet along with the registered barber with a representative of the Board. The representative shall make his recommendation to the Board at its next regular meeting, at which time the Board shall make its decision as to approval of the permit. If the applicant wishes a review of the Board’s decision, he may meet with the Board at the next regular meeting. A registered barber may train only two (2) students in his shop at a time, provided said students have a chair at all times.

(A) Students training fulltime in a school or college shall be on a five (5) day week basis, eight (8) hours per day, for a minimum of forty (40) weeks; or, students training fulltime under the personal supervision of a qualified registered barber shall be eight (8) hours per day on a forty (40) hour a week basis for forty-eight (48) weeks.

(B) Students shall have received a written student permit issued by the Board.

(C) Each student training under the personal supervision of a registered barber will be required to obtain the same textbooks taught by barber school or college and be given at least one (1) hour of study per day.

(D) Student training parttime in a school or college shall be on a twenty (20) hour a week basis for forty (40) weeks; students training parttime under the personal supervision of a qualified registered barber shall be on a twenty (20) hour a week basis for forty-eight (48) weeks.

HISTORY: Amended by State Register Volume 15, Issue No. 4, eff April 26, 1991; State Register Volume 36, Issue No. 6, eff June 22, 2012.

The breakdown of hours was provided as follows:

FT Student (Barber School)- 40 hours/wk X 40 wks= 1600 hours..... in order to balance to 1500 hours it should be 37.5 hrs/wk X 40 wks

PT Student (Barber School)- 20 hours/wk X 40 wks= 800 hours.....in order to balance to 1500 hours it should be 20 hrs/wk X 75 wks

FT OJT- 40 hours/wk X 48 wks= 1920 hours

PT OJT-20 hours/wk X 48 wks= 960 hours.....in order to balance to 1920 hours it should be 20 hrs/wk X 96 wks

Proposed changes:

17-8. Barber Students, Applications, Permits, Training, Progress Reports and Examinations.

1. Every person desiring to train in a barber school or college, or under the personal supervision of a registered barber, shall file an application for student permit to take the training. Such application shall be on a blank form furnished by the Board and shall be signed by the applicant and official of school or college or registered barber under whom the applicant desires to train. The prospective student who desires to train under the personal supervision of a registered barber shall meet along with the registered barber with a representative of the Board. The representative shall make his recommendation to the Board at its next regular meeting, at which time the Board shall make its decision as to approval of the permit. If the applicant wishes a review of the Board’s decision, he may meet with the Board at the next regular meeting. A registered barber may train only two (2) students in his shop at a time, provided said students have a chair at all times.

(A) **Students training fulltime in a school or college** shall be on a five (5) day week basis, ~~eight~~ **seven and a half** (7.5) hours per day, for a minimum of forty (40) weeks; or, students training fulltime under the personal supervision of ~~an qualified registered barber~~ **OJT barber instructor** shall be eight (8) hours per day on a forty (40) hour a week basis for forty-eight (48) weeks.

(B) Students shall have received a written student permit issued by the Board.

(C) Each student training under the personal supervision of ~~a registered barber~~ **an OJT barber instructor** will be required to obtain the same textbooks taught by barber school or college and be given at least one (1) hour of study per day.

(D) **Students training parttime in a school or college** shall be on a twenty (20) hour a week basis for ~~forty~~ **seventy-five**(40 75) weeks; students training parttime under ~~the personal supervision of a qualified registered barber~~ **an OJT barber instructor** shall be on a twenty (20) hour a week basis for ~~forty-eight~~ ninety-six (4896) weeks.

HISTORY: Amended by State Register Volume 15, Issue No. 4, eff April 26, 1991; State Register Volume 36, Issue No. 6, eff June 22, 2012.

Motion

Renee Patton made a motion to approve the proposed changes to Regulation 17-8. Dr. Evans seconded the motion which carried unanimously.

Discussion

Barber Bill H 4447-Moblie Barbershop Permits

The Bill was given to the Board members for information. The Board is welcome to express concerns, but cannot make any decisions or opinions. If a Board member decides to decision concerns or opinions to a

legislator; he or she must speak on their own behalf and not the Board. Mr. Robinson asked for the Barber Bill to be placed on the next agenda for discussion

Board Member Reports

Renee Patton discussed the NABBA Annual Meeting; Milady came up with a committee to compound license requirements. The next conference will be in Columbus, Ohio and Charleston, SC in 2017.

Mr. Robinson discussed the increase of fine amounts for unlicensed practice, weekend inspections and validating out of the county credentials.

Mr. Robinson stated barber schools must have a 600- hour program in order for the student to receive financial aid. The Board approved 375 hours of barber school training for licensed cosmetologists who want to crossover into barbering a master barber (currently master haircare specialist); the Board will discuss this issue at the next board meeting.

Public Comments

No Public Comments

Adjournment 11:39

Motion

Dr. Evans made a motion to adjourn. Patricia Durkin seconded the motion which carried unanimously.

The next meeting of the S.C Board of Barber Examiners is schedule for February 8, 2016