

MINUTES

FLORIDA BARBERS' BOARD
Department of Business and Professional Regulation
The Florida Mall Hotel
1500 Sand Lake Road
Orlando, Florida 32809
Sunday, August 1, 2004
2:00 p.m.

Legislative Workshop

The Legislative Workshop of the Florida Barbers' Board was called to order at approximately 2:00 p.m. by Mr. Peter "Dave" Magda, Chair.

Board Members Present

Peter "Dave" Magda, Chair
Herman White, Vice Chair
Robert Collins
Char Feliciano
Jeri Scott

Other Persons Present

Julie Malone, Executive Director, DBPR
Diane Guillemette, Assistant Attorney General, Department of Legal Affairs
Lyra Erath, Psychometrician, Bureau of Education and Testing, DBPR
Robyn Barineau, Government Analyst, DBPR

Interested Parties Present

Nancy Bradley, Commission for Independent Education
Andrew Myers, Commission for Independent Education
Steve Campora, Director of Apprenticeship, Department of Education
Eddie Stewart, Barber Examiner
Joe Barfield, Barber Examiner
Tony Simon, Sunstate Academy
Gayl Simon, Sunstate Academy
Terry Collier, Trendsetters Beauty School
Barbara Collier, Trendsetters Beauty School
Maura Scali-Sheahan, PCCJ/PJC
Georgia Osborne, Florida Academy of Hair
Ken Williams, Florida Academy of Hair
Liz Petrusa, Academy of Career Training
Anthony Hoellerer, New Dimension Academy
Jackie Lombardi, Florida Barber Academy

Frank Capostagno, Academy of Professional Careers
Jeannette Pusker, Academy of Professional Careers
Rob Rosenberg, Artistic Nails and Beauty
Dominique LaPointe, Artistic Nails and Beauty
Luvenia McNair, Beanies Beauty and Barber Academy

The workshop was opened and Chair Magda thanked the audience for attending. Chair Magda informed all attendees that three topics were going to be discussed separately during the workshop and would be discussed in detail at the board meeting on Monday, August 2, 2004, as possible 2005 board legislative initiatives. The three topics discussed were developing barber apprenticeship legislation, developing barber school legislation and developing barber instructors legislation.

Developing Barber Apprenticeship Legislation

This legislative workshop was opened for discussion at approximately 2:10 p.m.

Ms. Diane Guillemette, Assistant Attorney General, informed the workshop attendees that Representative Harper introduced HB1611 during the 2004 legislative session. She added that the Florida Barbers' Board nor the Department of Education were made aware of this potential legislation until the bill had been introduced to the Legislature. Ms. Guillemette mentioned that the bill as drafted, with some additions and amendments, could be utilized as possible legislation by the board and that the legislation would allow for the apprenticeship framework through administrative rules. She added that potentially, an apprenticeship program could increase the barber licensee base and could allow students to earn an income while completing their barber training. Ms. Guillemette indicated that Representative Harper is no longer a member of the Florida House of Representatives and that another sponsor would be necessary to carry this legislation.

Mr. Steve Campora, Director of Apprenticeship, Department of Education, introduced himself and gave a brief overview of Florida apprenticeship programs adding that there are over 11,000 apprentices currently registered in Florida. Mr. Campora indicated that the original bill filed during the 2004 legislative session was not well written and that he and several others worked to amend the bill which was the final product that failed during session. Mr. Campora added that state and federal standards, including hours and rate of pay, would have to be created and enforced by the Department of Education. He added that language would be necessary to clearly define apprentice sponsors, how many apprentices a sponsor can oversee at one time, and other detailed information. He stated that field representatives would be responsible for monitoring compliance with an apprenticeship program. Mr. Campora indicated that an advantage of an apprenticeship program would be the availability of federal and state tuition funds for students. Mr. Campora indicated his willingness to assist the board with any proposed apprenticeship legislation.

Ms. Nancy Bradley, Commission for Independent Education, introduced herself and mentioned that the Commission for Independent Education is the body that has oversight of all the non-public Florida schools. She added that she was unable to speak to the creation of an apprenticeship program as she was not certain of the board's intent with this initiative. Ms. Bradley mentioned that none of the schools licensed and regulated by the Commission for Independent Education currently offer apprenticeship programs. She was not able to inform the board whether or not the Commission for Independent Education would support this initiative and that they would need more information before offering a position.

Ms. Maura Scali-Sheahan, PCCJ/PJC, introduced herself and indicated she supports an apprenticeship program. She added that apprentice sponsors would need to be licensed as a barber for at least one year before sponsoring any apprentices. Ms. Scali-Sheahan expressed her opinion that the board should establish high standards and that 250 school hours for an apprenticeship program was not enough education.

Ms. Liz Petrusa, Academy of Career Training, introduced herself and expressed opposition to an apprenticeship program. She added that for the cosmetology industry, apprenticeship programs in other states have not been successful. Ms. Petrusa indicated she was not certain how an apprenticeship program would increase the barber licensee base. She mentioned that it would be difficult to tell barbershops/sponsors how much to pay an apprentice.

Mr. Jackie Lombardi, Florida Barber Academy, introduced himself and informed the board that he was concerned with Representative Harper's bill. He added that he was working with other schools on creating an informal apprenticeship program and would be happy to submit his findings to the board at a later date. Mr. Lombardi stated that schools need to be cautious about who would supervise their students in an apprentice environment. He indicated that other states' apprentices do not always meet the standards set forth in Florida. Mr. Lombardi agreed that allowing apprentices to work while receiving their training would be a great benefit to those individuals who need to earn a living while attending school. He indicated that this initiative needed more work before it was brought to the Legislature for consideration.

Mr. Terry Collier, Trendsetters of Florida, introduced himself and suggested that apprentices only receive educational hours while working under an apprentice sponsor. He added that if wages are earned while an apprentice works under an apprentice sponsor, unless very closely monitored, the program could get out of control. Mr. Collier agreed that a time limit should be placed on how long an apprentice license can be held.

Mr. Frank Capostagno, Academy of Professional Careers, introduced himself and expressed his opposition to an apprenticeship program. He added that schools currently have a problem preparing out of state apprentices for the Florida barbers' examinations. He does not feel that offering an apprenticeship program will increase the barber licensee base. Mr. Capostagno indicated that an apprenticeship program was offered approximately 30 years ago but there were different standards then. He feels the current law and requirements work well and urged the board not to go backwards with creating an apprenticeship program.

Ms. Georgia Osborne, Florida Academy of Hair, introduced herself and expressed her opposition to the creation of an apprenticeship program. She added that currently, students are instructed in school, they obtain their license and then they go to work in a barbershop. In an apprenticeship program, students would receive some training in a school and obtain additional training by an apprentice sponsor in a barbershop. The sponsor could require the student to operate completely different than instructed in the school, thus, the school and sponsor would work against each other. Ms. Osborne added the board should consider allowing students to work after completing their school hours and while awaiting the administration of their examinations.

Mr. Tony Simon, Sunstate Academy, introduced himself and added that change is often good. He indicated, however, that he was not certain an apprenticeship program would increase the barber licensee base.

The majority of schools in attendance agreed that the creation of an apprenticeship program would negatively impact their facilities.

Ms. Jeri Scott, Florida Barbers' Board member, informed the attendees that Representative Harper's bill barely failed during the 2004 legislative session. She added that if the board does not create well-written apprenticeship program legislation, there may be a separate creation of apprenticeship legislation that would adversely affect the board and the schools.

Mr. Capostagno agreed that a work exemption for students graduating from school would be a great benefit to students.

Ms. Scali-Sheahan suggested the board look at creating internships which could work well with schools.

Mr. Lombardi added that many students do need to earn a living while attending school. He suggested the board be more involved in the education of a barber. Mr. Lombardi agreed that apprentices should maintain at least a 70 percent school attendance record. He added that apprenticeship programs would assist the department with unlicensed activity.

Ms. Bradley indicated that the Commission for Independent Education must be involved from the beginning with the creation of apprenticeship program legislation to include the non-public schools. She added that if the Commission and the board work together, they can each be aware of the other's issues and concerns.

The workshop concluded at approximately 3:40 p.m.

Developing Barber School Legislation

This legislative workshop was opened for discussion at approximately 3:45 p.m.

Ms. Gayl Simon, Sunstate Academy, introduced herself and indicated she was not prepared to speak on this issue as she was not aware of the board's direction.

Ms. Barbara Collier, Trendsetters of Florida, introduced herself and expressed her concern with the financial impact of moving schools under the Florida Barbers' Board and the paperwork associated with this initiative.

Ms. Bradley indicated that the Commission for Independent Education voted at their July 19, 2004, to keep all non-public schools under their jurisdiction. She added that it would be burdensome on schools offering many programs to be governed by a body other than the Commission for their barbering program. This could cause some non-public schools to cancel their barbering programs completely. Ms. Bradley indicated that the current system works very well. She added that the board can bring oversight concerns and outcomes to the Commission for suggestions and assistance.

Ms. Scali-Sheahan added that she would like to see more collaboration between the Commission for Independent Education and the Department of Education.

Ms. Petrusa agreed with Ms. Bradley's statements and that oversight of non-public

schools should remain with the Commission for Independent Education.

Mr. Anthony Hoellerer, New Dimension Academy, introduced himself and suggested the non-public schools remain under the jurisdiction of the Commission for Independent Education.

Mr. Capostagno indicated that the schools' relationships with the Department of Business and Professional Regulation are not very good. He added that he believes the oversight of non-public schools should remain with the Commission for Independent Education.

Mr. Rob Rosenberg, Artistic Nails and Beauty, added that the Commission for Independent Education is very good at what they do and moving the school oversight to the board would have a negative impact on the schools. He indicated that the board may not have enough manpower to regulate schools. Mr. Rosenberg agreed that some schools would look at eliminating their barbering programs completely should the oversight of schools be handed over to the Florida Barbers' Board. He suggested the board work closely with the Commission for Independent Education.

The workshop concluded at approximately 4:10 p.m.

Developing Barber Instructor Legislation

This legislative workshop was opened for discussion at approximately 4:15 p.m.

Ms. Simon indicated she is not opposed to this proposal. She added that currently her instructors must have held a barber license for a minimum of three years before they can be considered as an instructor.

Mr. Simon added that the creation of an instructor license is a great idea as improvements in the teaching methodologies are necessary. He suggested the instructor license be different from the instructor license from many years ago and include an examination to obtain a license.

Ms. Bradley stated that the Commission for Independent Education recently amended their rules and now requires all non-public school instructors to obtain a minimum of eight hours of continuing education every year. She added that their rules currently require faculty to hold a professional license in the area they are teaching (if required by the state) and a minimum of three years practical experience in their field. Ms. Bradley added that instructors' licenses are not currently required for any of the non-public schools they regulate. She mentioned her hope that should the board decide to pursue this initiative, they would work collaboratively with the Commission in creating legislation and look to the Commission to issue licenses and regulate licensees.

Ms. Petrusa indicated that she is pleased with the current system as administered through the Commission for Independent Education.

Mr. Lombardi stated that the board would need to clarify their definition and qualifications of an instructor. He added that the board needs more involvement on what should be taught in the barbering schools.

Mr. Collier agrees there should be an instructor's license and hopes that if language was passed creating such a license, grandfathering of current instructors would be considered.

Mr. Capostagno added that he was not opposed to the creation of an instructor's license. He suggested the board consider creating a committee to gather input and develop this initiative.

Chair Magda expressed the importance of information from the board getting to all schools. He added that a better job of communication between the schools and the board needs to take place.

The workshop concluded at approximately 4:45 p.m.

JM/rb