

EXECUTIVE SUMMARY **Florida Barbers' Board**

I. General Information

Meeting Type: General Business
Meeting Date: Monday, November 15, 2004
Meeting Location: The Florida Mall Hotel
1500 Sand Lake Road
Orlando, Florida 32809

Attendees:

Peter "Dave" Magda, Chair

Herman White, Vice Chair

Robert Collins

Char Feliciano

Jeri Scott

Julie Malone Garofalo, Executive Director, Department of Business and Professional Regulation (DBPR)

Diane Guillemette, Assistant Attorney General, Department of Legal Affairs (DLA)

Daniel Biggins, Assistant Attorney General, DLA

Charles Tunnicliff, Assistant General Counsel, Office of the General Counsel, DBPR

Lyra Erath, Psychometrician, Bureau of Education and Testing, DBPR

Robyn Barineau, Government Analyst, DBPR

Jessa Drummond, Court Reporter

Jackie Lombardi, Florida Barber Academy

Maya Thomas, Maya's School of Beaute and Different Strokes

Manuel Chavous, Maya's School of Beaute and Different Strokes

Edwin Stewart

Carol Collins

David Thomas, Ebony Barbershop, Respondent

Nicola Italice, Best Value Barbershop, Respondent

Raphael Vedrine, Reflection Barbershop, Respondent

II. Major Issues/Actions

- The board considered 18 disciplinary cases
- The board considered one out-of-country endorsement application
- Mr. Charles Tunnicliff, Assistant General Counsel, reported that there are 64 barber cases in the legal section
- Ms. Char Feliciano visited South Florida Barber Academy for possible use of this school as a south Florida practical examination site
- Vice Chair Herman White visited Paul Mitchell – The School for possible use of this school as a central Florida practical examination site
- Ms. Lyra Erath, Psychometrician, Bureau of Education and Testing, visited West Side Technical for possible use of this school as a central Florida practical examination site

- Chair Dave Magda agreed to work with Ms. Diane Guillemette and Mr. Daniel Biggins, Assistant Attorneys General, on a legislative proposal relating to reciprocity
- Chair Magda will contact the National Association of Barber Boards of America (NABBA) regarding reciprocity as this topic was discussed in detail at their recent annual conference
- The Department of Education commented on the board's proposal relating to an apprenticeship program and indicated an apprenticeship program would need to be controlled by their agency; that apprentices cannot be paid for services while performing apprentice duties; and suggested the board consider amending their legislation to restructure their proposal as an internship program rather than an apprenticeship program so that they could control the internship requirements
- Mr. Jackie Lombardi, Florida Barber Academy, informed the board that federal funds are available for workforce programs
- Ms. Julie Malone Garofalo, Executive Director, informed the board that they will need to seek an independent sponsor of their apprenticeship legislative initiative as the department will only pursue legislation that effects the entire department during the 2005 legislative session unless legislation is filed which would be detrimental to the board
- Ms. Guillemette and Mr. Biggins will work on a proposal regarding apprenticeship/internship and present their proposal to the board at the next board meeting
- Ms. Malone Garofalo mentioned the financial report for years ending June 30, 2004, and June 30, 2003, and added that a financial report for the quarter ending September 30, 2004, should be available at the next board meeting
- Ms. Malone Garofalo referred the board of the operating account statement of revenues, expenses and changes in net assets for the years ended June 30, 2001, through June 30, 2009, and added that so long as the board's financial position stays as it is currently running, the board should be in a sound financial situation through June 30, 2009
- Ms. Malone Garofalo mentioned an anonymous complaint received relating to fees charged for barber renewal fees
- Ms. Guillemette distributed copies of some independent school inspection reports as previously requested by the board
- Ms. Malone mentioned the complaints and investigations report included in the agenda
- Ms. Erath informed the board that Mr. Rod Milton and Mr. Ross Nichelson have been standardized and are available for use as examiners
- Ms. Erath mentioned that there is an option to cancel the Sunstate Academy and the Lively Vocational-Technical School examination site contracts without penalty to the board
- Ms. Erath added that the department is attempting to completely fill all spaces in the first three practical examination administrations to shorten or eliminate a required fourth session
- Ms. Erath indicated that with the recent rule changes, two exam items have been eliminated from the restricted barber written examination due to inappropriate item content
- Ms. Erath informed the board that Ms. Char Feliciano provided the names of two potential south Florida examiners and one is currently being contracted
- Ms. Erath informed the board that a quarterly pass/fail report is being created and further information on this report will be provided at a later date

- Ms. Malone Garofalo ensured Chair Magda that proper photo bearing identification is required at examination sites
- The board agreed to conduct its next meeting in Orlando on Monday, February 21, 2005, at 9 a.m.

III. Legislation/Rule Promulgation

- The board will discuss apprenticeship/internship, reciprocity, barber definitions, and barber instructors at their February 2005 board meeting for consideration as legislative proposals
- Ms. Guillemette and Mr. Biggins will proceed with amending rules 61G3-16.0010 and 61G3-16.007, F.A.C., as agreed by the board

IV. Action Required

- Mr. Biggins and Mr. Tunncliff will prepare all final orders and forward to board staff for filing with the Agency Clerk
- Mr. Tunncliff will research whether or not a case was opened against Best Value Barber Shop in conjunction with unlicensed activity related to the case against Mr. Nicola Italicco and report his findings to the board at the next board meeting
- Mr. Tunncliff will determine whether or not the 1995 citation against Mr. David L. Thomas was paid and report his findings to the board at the next board meeting
- Mr. Tunncliff will determine why no count was included in the Administrative Complaint against Super Look Barbershop for unlicensed activity and report his findings to the board at the next board meeting
- Mr. Tunncliff will research how long an unpaid citation remains open before a separate case is opened for failure to comply with the citation and report his findings to the board at the next board meeting
- Ms. Malone Garofalo will inquire about the newsletter mailing and whether or not it was mailed to all barbershops and this information will be provided at the next board meeting
- Chair Magda asked that all board members provide Ms. Robyn Barineau, Government Analyst, with their proposed barbering definitions
- Chair Magda will contact NABBA regarding reciprocity as this topic was discussed in detail at their recent annual conference
- Mr. Biggins and Ms. Guillemette will research how federal funding would affect either an apprenticeship program or an internship program
- The board agreed that Representative Sipling may need to be contacted to determine if he might be interested in possibly sponsoring their future apprenticeship/internship legislation
- Mr. Lombardi offered to provide Ms. Guillemette and Mr. Biggins with contact information relating to the Federal Workforce Program
- Ms. Guillemette and Mr. Biggins will provide a proposal relating to apprenticeship/internship at the next board meeting
- Ms. Erath will check on the contracted cost to utilize Lively Vocational-Technical School for practical examination administrations and report her findings at the next board meeting

- Ms. Erath will check on the availability of proctors and examination administrators in the south Florida area and report her findings at the next board meeting
- Ms. Erath will research other possible practical examination sites in the Tallahassee area and report her findings at the next board meeting
- Ms. Erath will check on the need for proctors at examination sites and if this is a department requirement, reporting her findings at the next board meeting
- Ms. Erath asked all board members to review old exam content information and compare it to the new exam content information and the current rules; additionally, she asked all board members to provide her with their comments within the next two weeks and she will provide a final version of board comments at the next board meeting
- Chair Magda will contact NABBA about the costs associated with hosting an annual conference
- Mr. Lombardi will submit a letter to Mr. Biggins regarding his kiosk barbershop and its walls and ceiling and Mr. Biggins will assist Mr. Lombardi with the process for either a declaratory statement or a petition for variance and waiver

Julie Malone Garofalo
Executive Director
November 18, 2004