

# **EXECUTIVE SUMMARY**

## **Florida Barbers' Board**

### **I. General Information**

Meeting Type: General Business  
Meeting Date: Monday, February 21, 2005  
Meeting Location: AmeriSuites Orlando Convention Center  
8741 International Drive  
Orlando, Florida 32819

#### Attendees:

Peter "Dave" Magda, Chair  
Herman White, Vice Chair  
Robert Collins  
Char Feliciano  
Jeri Scott  
Robyn Barineau, Executive Director, DBPR  
Dan Biggins, Assistant Attorney General, Department of Legal Affairs  
Charles Tunncliff, Assistant General Counsel, Office of the General Counsel, DBPR  
Dana Ewaldt, Government Analyst, DBPR  
Cindy Green, Court Reporter  
Eddie Stewart  
Carol Collins  
Gayl Simon, Sunstate Academy  
Maya M. Thomas, Maya's School of Beaute, Inc.  
Manuel Chavous, Maya's School of Beaute, Inc.  
Tony Simon, Sunset Point Barber Shop  
Rockne I. Locey, Barber Endorsement Applicant  
Roberto Balbuena, San Miguel Barbershop, Respondent  
Herman Jones, Fashion Cuts, Respondent

### **II. Major Issues/Actions**

- The board considered two barber endorsement applications; these applicants were attempting to endorse from New York and Colombia, respectively
- The board considered 12 disciplinary cases
- The board considered two continuing education course applications and one continuing education course renewal application
- Mr. Charles Tunncliff, Assistant General Counsel, reported that there are currently 64 barber cases in the legal section
- Mr. Tunncliff explained to the board that a citation becomes a final order of the board within 90 days after its issuance if the respondent does not dispute the citation; he informed the board that non-payment of a citation results in the filing of an additional complaint against the non-compliant individual or business
- Ms. Jeri Scott, Chair, Legislation Committee, indicated her willingness to approach Senator Siplin with any legislative proposals the board may want to pursue
- Ms. Char Feliciano, Chair, Examination Committee, informed the board that she located another licensed barber, Mr. Deg McCracken of Hallandale, who is interested

in serving as an examiner for barber practical examinations and that an examiner application has been provided by the department to Mr. McCracken for his completion

- Mr. Robert Collins, Chair, Budget Committee, provided an overview of the September 30, 2004, financial reports to the board
- Mr. Herman White, Chair, Continuing Education Committee, had no additional comments
- Per the board's request at the November 2004 board meeting, Mr. Tunncliff reported that a case was opened against Best Value Barber Shop in conjunction with unlicensed activity related to the case against Mr. Nicola Italico
- Per the board's request at the November 2004 board meeting, Mr. Tunncliff reported that the 1995 citation issued against Mr. David L. Thomas was paid
- Per the board's request at the November 2004 board meeting, Mr. Tunncliff reported that he was uncertain why there was no count for unlicensed activity included in the Administrative Complaint against Super Look Barbershop
- Mr. Dan Biggins, Assistant Attorney General, distributed materials he gathered regarding apprenticeship programs; he informed the board that he spoke with Mr. Steve Campora, Director of Apprenticeship with the Department of Education (DOE), and per their discussion, Mr. Campora suggested that if the board wanted to pursue apprenticeship, the board could possibly set standards for apprenticeship programs and DOE would monitor the apprenticeship programs; the board suggested creating statutory language for schools to have the option of offering either an apprenticeship or an internship program
- Chair Dave Magda researched the minutes from the National Barber Boards of America (NABBA) conference for information regarding reciprocity; Chair Magda indicated that the majority of states represented at the NABBA conference agreed there should be a standardized process for accepting other state licenses for reciprocal licenses; Chair Magda reminded the board members of the trouble some applicants are having when attempting to endorse their out of state or country licenses because of the unavailability of original education records and/or written and practical examination information
- Ms. Robyn Barineau, Executive Director, mentioned the letter from Mr. Ed Magnay of Carrs Barber Club included in the agenda regarding his ideas on attracting barber licensees
- Ms. Barineau referred the board to a copy of the minutes from the 79<sup>th</sup> Annual Conference of NABBA included in the agenda for informational purposes
- Ms. Barineau mentioned the email included in the supplemental information from Mrs. Lyndell Suttles regarding apprenticeship
- Ms. Barineau indicated the Complaints and Investigative Statistics Report included in the agenda was for informational purposes
- Information was provided to the board regarding a contract for a public service announcement targeting unlicensed activity in the barbering, cosmetology, auctioneering and veterinarian professions, and the board asked for additional information on this issue
- Per the comments from the Joint Administrative Procedures Committee, the board agreed to withdraw their proposed amendments to rules 613G-16.007 and 61G3-16.0010, F.A.C.
- The board agreed that the barber and restricted barber written examinations need to cater to an eighth grade reading level

- The board agreed that out of a matter of fairness to all barber and restricted barber practical examination candidates, a South Florida practical examination site should be secured
- The board agreed to utilize Ms. Feliciano as a Lead Examiner, as necessary, for South Florida barber and restricted barber practical examinations
- The board approved the barber and restricted barber written examination content materials as provided by Ms. Lyra Erath, Psychometrician
- The board agreed to research the costs for hosting a NABBA conference in Florida
- The board discussed the responsibilities of a barbershop's landlord and the activities that occur in the rented space; Mr. Biggins suggested the board could possibly define "barbershop" to include and/or clarify the actual barbershop location or premises to limit what goes on in the barbershop and add penalties for illegal activity in the barbershop; Mr. Biggins also mentioned the possibility of seeking legislation penalizing the barbershop for other activity in the barbershop
- The board approved the appointment of Ms. Barineau as their Executive Director
- The board agreed to conduct its next meeting in St. Augustine, Florida, on Monday, May 16, 2005

### **III. Legislation/Rule Promulgation**

- Mr. Biggins will withdraw the proposed amendments to rules 61G3-16.007 and 61G3-16.0010, F.A.C.

### **IV. Action Required**

- Mr. Tunncliff and Mr. Biggins will prepare all final orders and forward to Board staff for filing with the Agency Clerk
- Ms. Barineau will send a copy of the last board newsletter to all board members
- Ms. Barineau will research why the Testing and Continuing Education expense increased from \$20,976 in September 2003 to \$47,076 in September 2004 and report her findings at the next board meeting
- The board asked Mr. Tunncliff to relay to the Bureau of Investigative Services to include "related case" information on their inspection sheets, if appropriate
- All board members will review Chapter 61G3, F.A.C, and prepare a list of words that need definition and provide their lists to the board office for inclusion in the next board meeting agenda
- Mr. Biggins will contact the Commission for Independent Education (CIE) to determine if they would support the board instituting an internship program for barbers; should the CIE not oppose an internship program, Mr. Biggins will invite Mr. Campora to attend the next board meeting for his input from the DOE angle regarding internship programs; Mr. Biggins will modify the board's previously drafted apprenticeship program legislative proposal and provide the language at the next board meeting
- The board will discuss barber instructors at their next board meeting
- The board requested staff to ask the application processing unit to have applicants attempting to endorse from other states or countries who are unable to provide proof of educational hours and/or passage of written and practical examination information for a letter, when appropriate, from the licensing state or country indicating that records have been purged or are otherwise unavailable; when the applicant provides

- such a letter to the department, the applicant may also request that the board review their application at the next available board meeting
- Ms. Barineau will send an email to Mrs. Suttles indicating the board is currently researching apprenticeship and/or internship programs
  - The board asked that Ms. Erath attend the next board meeting to answer any questions they may have relating to barber and restricted barber written examination item analyses; alternate practical examination sites in Tallahassee, Orlando, and South Florida; and any other education and testing concerns they might have
  - The board will research and discuss the costs associated with hosting a NABBA conference in Florida at the next board meeting
  - The board asked Mr. Tunnicliff and Mr. Reddinger to report whether or not the inspectors and or investigators are having problems with other illegal activities going on in barbershops; they also asked Mr. Tunnicliff and Mr. Reddinger for any ideas they might have regarding the department's rights to inspect the entire barbershop

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Robyn Barineau  
Executive Director  
February 23, 2005