

# MINUTES

**FLORIDA BARBERS' BOARD**  
**Department of Business and Professional Regulation**  
**Florida Hotel and Conference Center**  
**1500 Sand Lake Road**  
**Orlando, Florida 32809**  
**Sunday, February 4, 2007**  
**10:00 a.m.**

## **General Business Meeting**

The General Business Meeting of the Florida Barbers' Board was called to order at approximately 10:00 a.m., by Mr. Peter "Dave" Magda, Chair.

### **Board Members Present**

Peter "Dave" Magda, Chair  
Herman White, Vice Chair  
Robert Collins  
Jeri Scott  
Roland Bordelon

### **Board Members Absent**

### **Other Persons Present**

Robyn Barineau, Executive Director, Department of Business and Professional Regulation  
Joy Tootle, Assistant Attorney General, Department of Legal Affairs  
Dana Ewaldt, Government Analyst, Department of Business and Professional Regulation  
Tiera Beisinger, Josef Silny & Associates, Inc.

The meeting was opened with a roll call and a quorum was established

### **Approval of Minutes: November 13, 2006**

Mr. Herman White, Vice Chair, moved to accept the minutes from the November 13, 2006, board meeting. Mr. Robert Collins seconded the motion and the motion passed unanimously.

### **Old Business**

#### **Joseh Silny & Associates, Inc.**

Ms. Tiera Beisinger, Associate Director for Corporate Relations Foreign and Credential Evaluator with Josef Silny and Associates, Inc., provided the board with a presentation detailing the services offered by Josef Silny & Associates, Inc. when assisting foreign educated individuals who are seeking professional licensure in the United States. Ms. Beisinger stated that the credentialing evaluations are preformed at every level of education, of every official language spoken from every country in the world, and that many of the staff members of Josef Silny and Associates, Inc., are bilingual or trilingual. Josef Silny & Associates, Inc. is a member

of the National Association of Credential Evaluation Services. Josef Silny & Associates, Inc., provides translations and foreign credential evaluations that are accepted by United States colleges and universities, the United States Federal Government and including the Bureau of Citizenship and Immigrations Services. Some State of Florida agencies that currently utilize the evaluations prepared by Josef Silny & Associates, Inc., include the Florida Department of Education, Boards of Nursing and Professional Engineers. When an applicant contracts with Josef Silny & Associates, Inc., they are required to complete an application, pay all associated fees, and provide Josef Silny & Associates, Inc., with original official education documentation. Once the case is assigned to an evaluator, the translation and evaluation services are normally completed within 10 working days. The evaluator confirms the validity of the documents through research of the program and school the client attended. In the event there is a deficiency on the application or in the education documents, the Josef Silny & Associates, Inc., evaluator will coordinate the correction with the applicant's school or government. Josef Silny & Associates, Inc., has various measures of security in place to ensure the authenticity, accuracy and validity of the signature, seal and logo on an official document. Ms. Beisinger provided the board with two sample evaluations for an out-of-country endorsement applicant. Ms. Beisinger stated that Josef Silny & Associates, Inc., can provide quarterly reports detailing applicant information if requested.

### **Barbering Definitions**

Ms. Joy Tootle, Assistant Attorney General, reviewed the board's statutes to determine if there are key words or phrases that should be clearly defined in the rules. She also checked with the board's former Assistant Attorney General who previously mentioned the need for definitions, there was no basis for further definition or clarification at this time. Ms. Tootle recommended this item be removed from future agendas and the board agreed.

### **Unlicensed Activity Stings/Sweeps Target Areas**

Chair Magda suggested the Division of Regulation target Miami-area flea market barbershops for unlicensed activity and that local law enforcement accompany the department's inspectors. Ms. Robyn Barineau, Executive Director, stated that she would provide the suggestion to the Department's Division of Regulation.

## **Other Business**

### **Executive Director's Report**

#### **Financial Report Period Ending September 30, 2006 - Operating Account**

Ms. Barineau reviewed the board's financial report for the period ending September 30, 2006, and reported that the account balance was almost \$1.5 million. Ms. Barineau stated that the board is in a good position and that they are fiscally sound. The projection provided by the Budget Office indicates that the board will remain in a positive cash position at least through 2011.

#### **Financial Report, June 30, 2006 - Unlicensed Activity Account**

Ms. Barineau noted that the unlicensed activity account balance was \$175,140 for the period ending September 30, 2006.

## Complaints and Investigative Statistics Report July 2006 - December 2006

Ms. Barineau noted that the Complaints and Investigative Statistics Report for July 2006 through December 2006 was included in the agenda for informational purposes.

### Board Membership

Ms. Barineau advised the board that the department is currently attempting to address the board member vacancy situation. The department is seeking assistance from all boards to assist with locating qualified applicants to fill vacancies on all boards. All interested applicants should contact the department or the Governor's Appointments Office for a Gubernatorial Appointments Questionnaire for completion and filing with the Governor's Appointments Office.

### Board Attorney Report

#### Rule 61G3-16.005, Florida Administrative Code, Endorsement

Ms. Tootle provided the board with draft language for their endorsement Rule 61G3-16.005, Florida Administrative Code, requiring the endorsing applicant to utilize a credentialing and evaluating company. The proposed amendment will read as follows:

The Department of Business and Professional Regulation shall issue a license by endorsement to an applicant ~~a person without examination (except as provided in subsection (5) below)~~ who:

- (1) Makes application and pays to the department the fee specified in Rule 61G3-20.002, F.A.C.;
- (2) Demonstrates that he or she possesses a current active license in another state or country;
- (3) Demonstrates that he or she has satisfactorily completed a written and practical examination comparable to or more stringent than the examination by the Department;
- (4) Demonstrates that he or she has completed:
  - (a) 1,200 ~~4,000~~ hours of schooling in a program similar to, comparable to or more stringent than that required of Florida students and, at a minimum, covering the subjects of Safety, Sanitations and Sterilization, Hair Structure and Chemistry, Hair cutting, Shampooing, Chemical Services and Shaving as specified by the Barbers' Board; or
  - (b) An apprenticeship program of 1,200 ~~4,000~~ hours; or
  - (c) A combination thereof.
- (5) Certifies that he or she has read and understood and will abide by Chapters 455 and 476, F.S., and Chapter 61G3, F.A.C.
- (6) For purposes of demonstrating that the applicant has met the requirements of (2),(3) and (4) above, the applicant must provide the Board with an education evaluation conducted by a credential evaluation service that is a member of the National Association of Credential Evaluation Services.

Ms. Jeri Scott moved that the board accept the proposed language for Rule 61G3-16.005, Florida Administrative Code, as provided by Board Counsel. Vice Chair White seconded the motion and the motion passed unanimously. Ms. Tootle will amend and proceed with filing Rule 61G3-16.005, Florida Administrative Code.

Taking into account the fee charged by a member of the National Association of Credential Evaluation Service, Ms. Tootle suggested the board consider reducing the endorsement application fee as an attempt to prevent opposition to the endorsement rule amendment. Vice Chair White moved to open Rule 61G3-20.002, Florida Administrative Code, for discussion at the May board meeting. Ms. Scott seconded the motion and the motion passed unanimously. Ms. Tootle will proceed with filing Rule 61G3-20.002, F.A.C.

### **Bureau of Education and Testing**

#### **Barber Examiners Status Report**

Ms. Lyra Erath, Psychometrician, Bureau of Education and Testing, provided the board with a progress report on the status of new barber examiners. Ms. Erath continues to experience difficulty in finding examiners in the South Florida area.

Ms. Erath's status report indicated the standardization for Mr. Scott Kinney is pending and that he will be standardized at a later date in Tallahassee.

#### **Written Examination Pass Rate July 2006 – December 2006**

#### **Tallahassee Practical Examination Pass/Fail Rate February 2006 – December 2006**

#### **Casselberry Practical Examination Pass/Fail Rate January 2006 – November 2006**

Ms. Erath provided the examination status reports for informational purposes.

Ms. Barineau stated that Ms. Erath had informed her that an exam item review meeting would be conducted toward the end of February. The exam item revisions will be based on the most current published version of the Milady's barbering textbook. Once the exam item revision is complete, the board asked if Ms. Erath or the Bureau of Education and Testing would attempt to inform the schools that the written examination is based upon the latest version of the Milady's barbering textbook.

Ms. Erath's report indicated she has requested contract negotiations be initiated with Mr. Jackie Lombardi for the use of his school for a South Florida examination site.

### **Chairperson Report / Comments**

Chair Magda indicated some of the topics discussed at the National Association of Barber Boards of America annual conference included barber poles only being displayed in barbershops, discipline of licensees who are convicted sexual predators and recognition of National Barbers Week. Chair Magda will obtain other states' information regarding these issues and report his findings for further discussion at a later meeting.

Chair Magda reminded the board that the 2007 National Association of Barber Boards of America annual conference will be conducted in Orlando during the third week of September, and he has requested that additional funds be incorporated into the board's 2007 travel plan to allow all board members and staff to attend the 2007 conference. Chair Magda asked Ms. Barineau to research if funds can be expended from the board's budget in order to place an advertisement in the conference program welcoming all attendees to Florida. It was requested

that Ms. Barineau, Director of Professions Tim Vaccaro, and if available, Secretary Benson, give welcoming remarks at the conference. Chair Magda will provide Ms. Barineau with dates for the guest speakers. The board will also contact the Orlando Mayor and the Orlando Chamber of Commerce as possible guest speakers to address the convention attendees. Chair Magda also requested each board member attempt to procure items that can be used as handouts or door prizes at the convention.

### **Board Member Reports / Comments**

There was nothing further to report as this time.

### **Dates and Locations of Future Meetings**

The board agreed to the following dates and locations for future meetings:

- Monday, May 7, 2007 – Ft. Lauderdale
- Sunday, September 16, 2007 – Orlando (In conjunction with the National Association of Barber Boards of American Annual Conference in Orlando)
- Monday, November 19, 2007 – Tampa

### **Adjournment**

There being no further business, the meeting was adjourned at 1:35 p.m.