

# **EXECUTIVE SUMMARY**

## **Florida Barbers' Board**

### **I. General Information**

Meeting Type: General Business  
Meeting Date: Monday, August 1, 2005  
Meeting Location: Renaissance Orlando Hotel - Airport  
5445 Forbes Place  
Orlando, Florida 32812

#### Attendees:

Peter "Dave" Magda, Chair  
Herman White, Vice Chair  
Robert Collins  
Char Feliciano  
Jeri Scott  
Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)  
Dan Biggins, Assistant Attorney General, Department of Legal Affairs (DLA)  
Charles Tunncliff, Assistant General Counsel, Office of the General Counsel, DBPR  
Cameron Dougherty, Assistant General Counsel, DBPR  
Dana Ewaldt, Government Analyst, DBPR  
Alan Livingston, House Business Regulation Committee  
Nancy Bradley, Commission for Independent Education (CIE)  
Kasongo Butler Nelson, CIE  
Michael Woods, Court Reporter  
Jackie Lombardi, Florida Barbers Academy  
Doldie Laguerre, Doldie's International Hair Academy  
Tuan Vu, Pro Nails and Beauty School  
Mau Nguyen, Pro Nails and Beauty School  
Patty Galdamez, Bradenton Beauty & Barber Academy, Inc.  
Terrence Williams, Prime Time Barbershop, Respondent

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

- The board considered and denied two barber endorsement applications; these applicants were attempting to endorse from Canada
- The board considered 8 disciplinary cases
- The board considered and adopted the Proposed Recommended Order of the Administrative Law Judge in the Francisco Portes matter
- The board considered one continuing education provider application and one continuing education course application
- Mr. Charles Tunncliff, Assistant General Counsel, reported that there are currently 64 barber cases in the legal section
- Mr. Tunncliff introduced Ms. Cameron Dougherty, Assistant General Counsel, who will be handling the barbering cases in the future; he added that he intends to

- continue to assist with the barbering cases for approximately two more board meetings
- Per the board's request at their May 16, 2005, meeting, Mr. Tunncliff researched and determined that there was an error in the inspection report for the Trevenio King case; the investigation report, however, did reflect an unlicensed person working the barbershop
  - The board asked that local law enforcement join inspectors and investigators when inspecting/investigating repeat offenders since section 476.194, Florida Statutes, provides that any person willfully or repeatedly violating the laws and rules of the board are guilty of a second degree misdemeanor
  - The board voted to move ahead with their proposed barber internship program legislation and legislation eliminating the option for Florida students to be licensed as restricted barbers
  - Board members agreed to send any proposed barbering definitions to board staff for inclusion in the next board meeting agenda
  - Chair Dave Magda will continue to pursue his inquiry regarding the costs associated with hosting a National Association of Barber Boards of America (NABBA) annual meeting
  - The board agreed to send Chair Magda and Ms. Jeri Scott to the NABBA annual meeting in Myrtle Beach, South Carolina
  - Ms. Robyn Barineau, Executive Director, reminded the board about the 100 percent continuing education monitoring initiative and the repercussions associated with non-compliance including possible non-renewal
  - Ms. Barineau gave an overview of the Financial Report for the period ending March 31, 2005
  - Per the board's request, Ms. Barineau researched the increase in the continuing education and testing expense included on the board's Financial Report and reported that there were multiple reasons for the increase including the consultant and subject matter expert costs associated with rewriting the restricted barber practical exam; reviewing exam challenges; researching practical examination sites; soliciting new practical examiners; preparation and dissemination of practical examination materials to candidates; scheduling candidates; handling ADA candidates; preparation and mailing continuing education deficiency letters; reviewing and notifying continuing education providers of course approval/denials; and other board related activities
  - The board asked for additional explanation from the BET on the approximate \$84,000 increase in the continuing education and testing expense through March 31, 2005, as compared to the same period in 2004; specifically, the board asked that BET provide them at their next meeting with the costs per candidate associated with administering a practical examination and that BET provide them at their next meeting with the dollar amounts charged to the Florida Barbers' Board associated with the continuing education and testing areas for the 2004-2005 fiscal year
  - Ms. Barineau informed the board that the Complaints and Investigative Statistics Report and the Chair's letter in response to Deputy Secretary Andy Edwards' request for budget input were provided for informational purposes
  - Ms. Barineau solicited the board for newsletter ideas and informed the board that she will be compiling another board newsletter within the next few months
  - Mr. Biggins reported that the changes to rule 61G3-16.007, Florida Administrative Code, are effective August 1, 2005

- Mr. Biggins reported that the changes to and 61G3-21.009, Florida Administrative Code, should be effective very shortly
- The board agreed to amend rule 61G3-20.002(2), Florida Administrative Code, to decrease the amount paid to the testing vendor from \$13.50 to \$4.50 and increase the amount paid to the department from \$61.50 to \$70.50
- Mr. Biggins gave a brief presentation and provided handout materials on the Sunshine Law and the role of a board member
- The board agreed to postpone scheduling a date for Standardization until they receive their year end financial statements; in addition, they agreed that Standardization should be held in a central location and the sufficient time allotted for Standardization should be four hours allowing most examiners to travel to and from Standardization in one day
- 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 discuss possible barber internship rule ideas at the next board meeting
- Mr. Jackie Lombardi, Florida Barber Academy, informed the board that over 100 of his previous students were financially hardshipped with having to travel to Tallahassee to take a practical examination and these students, ultimately, never completed the licensure process
- The board inquired about the report Ms. Lyra Erath previously offered showing where the practical examination candidates reside
- Ms. Barineau reported that the email from Ms. Suzy Smith was included in the agenda for informational purposes
- The board agreed to conduct its next meeting in Ft. Lauderdale, Florida, on Monday, November 7, 2005

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

- Mr. Biggins will finalize the board's legislative proposal relating to barbering internship programs and legislation eliminating the option for Florida students to be licensed as restricted barbers
- Mr. Biggins will amend rule 61G3-20.002(2), Florida Administrative Code, to decrease the amount paid to the testing vendor from \$13.50 to \$4.50 and increase the amount paid to the department from \$61.50 to \$70.50

### **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. Char Feliciano asked that the Bureau of Education and Testing (BET) forward to all examiners a map showing the locations of the new practical examination sites
- The board asked that the Central Intake Unit date stamp all materials they provide for inclusion in the agenda related to out of country endorsement applications
- Ms. Barineau will include in the next board newsletter information relating to local law enforcement joining inspectors and investigators when inspecting/investigating repeat offenders since section 476.194, Florida Statutes, provides that any person

willfully or repeatedly violating the laws and rules of the board are guilty of a second degree misdemeanor

- The board asked that Ms. Erath continue the process of securing a south Florida practical examination site and provide a status at the next board meeting
- The board asked that Ms. Erath provide the previously discussed report showing where practical examination candidates reside at the next board meeting
- The board asked that BET provide them at their next meeting with the costs per candidate associated with administering a practical examination
- The board asked that BET provide them at their next meeting with the dollar amounts charged to the Florida Barbers' Board associated with the continuing education and testing areas for the 2004-2005 fiscal year
- The board asked for the pass/fail rates for practical examinations for the 2003-2004 fiscal year and the 2004-2005 fiscal year
- The board will discuss Standardization at the next board meeting
- The board will discuss barbering definitions at their next board meeting
- The board will discuss possible barber internship rule ideas at their next meeting

---

Robyn Barineau  
Executive Director  
August 4, 2005