

## **EXECUTIVE SUMMARY** **Florida Barbers' Board**

### **I. General Information**

Meeting Type:	General Business
Meeting Date:	Monday, May 15, 2006
Meeting Location:	The Florida Mall Hotel 1500 Sand Lake Road Orlando, Florida 32809

**Attendees:**

Peter "Dave" Magda, Chair

Herman White, Vice Chair

Roland Bordelon

Robert Collins

Jeri Scott

Dennis Yecke, Deputy Secretary of Professional Regulation, Department of Business and Professional Regulation (DBPR)

Robyn Barineau, Executive Director, DBPR

Dan Biggins, Assistant Attorney General, Department of Legal Affairs (DLA)

Joy Tootle, Assistant Attorney General, DLA

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

Dana Ewaldt, Government Analyst, DBPR

Dianna Gonzoles, Court Reporter

Lynda Calcano, International Services

Letty Milazzo, ASM Beauty World Academy

Maura Scali-Sheahan, Florida Community College at Jacksonville

Jackie Lombardo, Florida Barber Academy

Carol Collins

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

- Board Chair Mr. Dave Magda welcomed new board member Mr. Roland Bordelon.
- Assistant Attorney General Mr. Dan Biggins introduced his replacement as board counsel for the Florida Barbers' Board, Ms. Joy Tootle, Assistant Attorney General.
- The board considered 21 disciplinary cases.
- Mr. Charles Tunnickliff, Assistant General Counsel, reported that there are currently 57 barber cases in the legal section.
- Mr. Tunnickliff mentioned that Ms. Tiffany Harrington, Assistant General Counsel, has been hired as the new attorney to handle barbering cases in the

future. He added that he intends to continue to assist with the barbering cases for approximately one more year.

- The board considered 29 out-of-country barber endorsement applications. Of the applications considered, 12 were approved, 10 were denied, and seven were continued until the next board meeting.
- The board approved two continuing education providers and two continuing education courses.
- The board will discuss proposed barbering definitions at the next board meeting.
- Ms. Tootle informed the board that the change to the endorsement rule, Rule 61G3-16.005, Florida Administrative Code, which further clarified the requirements for endorsement, was effective May 3, 2006.
- Ms. Tootle informed the board that the Joint Administrative Procedures Committee (JAPC) objected to the amendment filed to Rule 61G3-19.011(6), Florida Administrative Code, relating to the number of sinks required in a barbershop. JAPC indicated that the proposed change is too vague. After discussion, the board agreed to utilize the shampoo bowl language in the cosmetology rule. Ms. Tootle will refile the language as agreed upon by the board.
- The board agreed to amend Rule 61G3-16.0092(6), Florida Administrative Code, to change the number of days a continuing education provider has to transmit course completion information to the department from five days to 30 days to comply with Chapter 455, Florida Statutes.
- Ms. Robyn Barineau, Executive Director, informed the board that the Division of Regulation conducted 11 unlicensed activity sweeps during the last fiscal year, and, to date, during the current fiscal year, 12 unlicensed activity sweeps have been conducted. She also informed the board that there were some recent arrests made at a Tampa flea market barbershop for unlicensed activity. Ms. Barineau asked the board to provide her with suspected unlicensed activity areas for possible stings or sweeps by the Division of Regulation.
- Ms. Barineau informed the board that the financial report for the period ending December 31, 2005, the email from Deputy Secretary Yecke regarding improvements to the DBPR website, the Complaints and Investigative Statistics Report for the period July 2005 – March 2006, the National Association of Barber Boards of America (NABBA) Barber Clips Newsletter, and the Florida Barbers' Board March 2006 Newsletter were included in the agenda for informational purposes.
- Ms. Barineau informed the board that per their direction, she researched the cost to mail a 6-8 page newsletter to 2,600 barbershops. The mailing cost for such a newsletter would be approximately \$250.
- Ms. Barineau reminded the board of the upcoming renewal and the continuing education requirements, which must be completed before a license will be renewed.
- Ms. Barineau advised the board that the department is still attempting to address the board member vacancy situation and is seeking assistance from

boards to assist with locating qualified applicants to fill vacancies on all its boards and commissions. Ms. Barineau suggested that interested applicants contact the department or the Governor's Appointments Office for a Gubernatorial Appointments Questionnaire.

- Ms. Barineau inquired if all the board members had received a Board Member Handbook and informed the board that she will discuss the roles and responsibilities of a board member at a future meeting.
- The board agreed to send Chair Magda, Vice Chair Herman White and Mr. Bordelon to the NABBA 80<sup>th</sup> Annual Conference in Denver, Colorado, in September 2006. The board asked that should travel budget be available, they would also like to send Ms. Jeri Scott to the conference.
- Chair Magda again reminded the board that the NABBA will host their 2007 annual convention in Orlando, Florida. He reiterated that he would like for all board members and staff to participate in the 2007 NABBA annual convention.
- Ms. Barineau informed the board that the report from Ms. Lyra Erath, Psychometrician, Bureau of Education and Testing, regarding the South Florida practical examination sites and the South Florida examiners was included in the agenda per their request. Additionally, Ms. Barineau added that the pass/fail rates for the Tallahassee and Casselberry practical examination sites were included in the agenda per their request.
- Ms. Maura Scali-Sheahan, Florida Community College at Jacksonville, indicated her belief that some of the documentation being provided by out-of-country endorsement applicants was falsified. She suggested the board test all out-of-country endorsement applicants. Ms. Scali-Sheahan also suggested the barbering curriculum include required number of services as opposed to the current required number of hours. She added that the Florida Barbers' Board should license barber instructors and master barbers as was previously the practice by the board years ago. The board suggested that Ms. Scali-Sheahan provide documentation supporting her allegation of falsified application information.
- Mr. Jackie Lombardi, Florida Barber Academy, suggested that the legitimacy of the documentation being submitted for out-of-country endorsement applicants be better scrutinized. The board offered their appreciation for Mr. Lombardi's concern and suggested that he provide evidence supporting his allegation of illegitimate application information.
- The board elected Mr. Dave Magda and Mr. Herman White, Chair and Vice Chair, respectively, of the Florida Barbers' Board.
- The board agreed to conduct its next meeting in St. Augustine, on Sunday, August 13, 2006, and Monday, August 14, 2006.

### III. Legislation/Rule Promulgation

- Ms. Tootle will amend and proceed with refilling Rule 61G3-19.011(6), Florida Administrative Code, – Barbershop Requirements – as follows:  
“Each barbershop shall have one or more shampoo bowls equipped with hot and cold running water. The shampoo bowls shall be located in the area where barbering services are performed.”
- Ms. Tootle will amend and proceed with filing Rule 61G3-16.0092(6), Florida Administrative Code, - Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS) Education Provider Requirements – as follows:  
“...Providers must electronically provide to the Department a list of attendees taking the course for continuing education purposes within 5 30 business days of the completion of the course.”

### IV. Action Required

- Mr. Tunncliff and Ms. Tootle will prepare all final orders and forward to board staff for filing with the Agency Clerk.
- The board will discuss barbering definitions at their next board meeting.
- The board will provide Ms. Barineau with suspected areas of unlicensed activity for provision to the Division of Regulation for possible stings or sweeps.

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Robyn Barineau  
Executive Director  
June 2, 2006