

DATE: December 14, 2015

TIME: 9:30 AM

PLACE: 500 N. Calvert Street

3rd Floor Conference Room

Baltimore, Maryland 21202

PRESENT: Lawrence Avara, Chair

Marvin T. Lee, Treasurer

Phillip S. Mazza, Industry Member

Derick L. Ausby Sr., Secretary

ABSENT: Guy Flynn, Industry Member

Alberta Fisher, Industry Member

OTHERS PRESENT: Shirley Leach, Executive Director

Eric London, Assistant Attorney General

Erica Lewis, Board Secretary

Call to Order

Chairman Lawrence Avara called the meeting to order at 10:05am.

Approval of Agenda

Mr. Marvin T. Lee made a motion to approve the agenda, Mr. Phillip Mazza seconded the motion to approve the agenda; the agenda was unanimously approved.

Approval of Minutes

Mr. Phillip Mazza made a motion to approve the minutes from September 14, 2015 meeting, Marvin T. Lee seconded the motion and the board unanimously approved the minutes.

New Business

Board Training

Assistant Attorney General Milena Trust gave a presentation regarding Board Training. The Board thanked Ms. Trust for advising the members about their responsibilities as Board members.

Distribution of Fraudulent licenses

Executive Director Shirley Leach advised the Board of an advertisement found on Craigslist offering fraudulent licenses for compensation. Mr. Eric London stated the Consumer Protection Division in the Attorney General's Office will take the lead on this investigation. A follow-up will be provided once more information is discovered.

Adjusting New Shop Application Process

Executive Director Shirley Leach introduced a modification to the pending application process, which would allow shop owners to choose to either complete an in person application in the office or opt to have all documents mailed to the Board. A motion was made by Mr. Mazza to adopt the new policy of not requiring an in-person meeting for new shop owners and the Board voted unanimously to make the policy change.

Non-Negotiable fees

Ms. Leach discussed with the Board the practice of providing refunds to applicants who have paid a fee in error and wanted to make certain the Board approved the practice. Presently, refunds are issued if an error is found, such as submitting an online payment twice. Mr. London stated that although fees are non-refundable under COMAR 09.22.01.13, the Board could reasonably interpret the regulation as not prohibiting the return of a payment made by a person to the Board in error. The Board agreed and stated that refunds should remain non-refundable, unless an error has been indicated. The Board unanimously agreed that Ms. Leach can continue to issue refunds when a clear error has been made.

Fee Prices for Board Members

A question was brought to the Executive Director attention regarding discounted licensing fees for Board members. Counsel, Eric London, reminded the Board that it cannot receive any special treatment for their role as a Board member as it would conflict with the ethical guidelines.

National Association of Barber Boards of America Conference

Mr. Mazza gave an overview of the conference stating that the National Association of Barber Boards of America represents over 300,000 barbers. He advised the Board that attendance at the conference would serve as a great asset for all Board members.

Professional Beauty Association

The Professional Beauty Association is a lobbying organization, which is currently working on national standardization of teaching curriculum for barbers and cosmetologists. Mr. Mazza advised that he serves as co-chair on the National Association of Barber Boards of America committee, where he is working to develop a standardized teaching curriculum, which will be proposed to state Boards across the nation. Mr. Mazza advised the Board both organizations are taking proactive measures in a number of areas to stem the effort to deregulate both industries.

Maryland Regularity Review Committee

Mr. Mazza advised the Board he was unable to attend any meetings of the Governor's regulatory review committee, but did submit his written testimony.

Master Barbers Instructing In Schools

Mr. Avara expressed his concern at the last meeting regarding the number of students under the supervision of one Master barber in the classroom setting. Mr. Avara explained that it was not appropriate for one master barber to have more than 25 students in a class. Due to the nature of the issue, a complaint has been filed through the Department of Higher Education.

Removal of Mr. Guy Flynn

Executive Director Shirley Leach advised the Board a request was submitted to Harry Loleas to remove Mr. Guy Flynn, as Mr. Flynn had failed to make the attendance requirements at the meetings.

Informal Conference

Lawrence Blount - Mr. Blount, a licensed barber in the State of New York, requested a waiver of examination. Mr. Blount provided the Board a copy of his license reflecting the length of time he has held his license. Chairman Avara advised the Board, Mr. Blount received 2,200 training hours from State Board of New York. Mr. Mazza made a motion to go into executive session to confer with counsel; the Board went into Executive session at 11:34. The Board unanimously made a decision ending executive session at 11:37am. The Board advised Mr. Blount if he can provide proof of work experience from a previous employer, he may receive a barber's license in the State of Maryland.

Kevin Minor- Mr. Minor came before the Board appealing the decision requiring him to take the barber's exam, as his last license had expired in 2006. The Board advised Mr. Minor he would need to sit for the Barber's exam, as the license had not been renewed for more than 5 years.

Shawn Hill- Mr. Hill came before the Board requesting for a third barber apprentice restart. Mr. Hill explained he was unaware that his sponsor was not sending his hours to the Board. Mr. Hill expressed his passion for the industry and his craft. After discussion, the Board agreed to issue Mr. Hill a third restart.

Jon Vindana - Mr. Vindana, a licensed cosmetologist in Maryland, holds a barbers license in California and recently in Washington, D.C. Mr. Vindana requested a waiver of two years of work experience. After much discussion and deliberation, the Board advised Mr. Viranda that he needed two years of consecutive work experience to obtain a license.

Jermaine Roe- Mr. Roe, a licensed apprentice, came before the Board requesting a waiver of examination. Mr. Roe has completed the apprenticeship program and qualifies to take the exam. Attempting several times to pass the practical without success, Mr. Roe came before the Board requesting additional time to take the practical exam, as the vendor had changed. Executive Director Shirley Leach advised Mr. Roe she would look up his Prometric test scores and provide a qualified letter to the testing vendor.

Robert Lee Galloway- Mr. Galloway holds an expired barber apprentice license and was granted two restarts. Currently, Mr. Galloway has 1700 training hours on file, but his Master barber, Melvin Dickens, states he failed to mail the apprenticeship forms in a timely matter. The Board advised they will only accept forms within a 90 day range from the month of completion per regulation. Chair Avara advised Mr. Galloway he is not eligible for a third restart and attending school may be the best option for his situation. The Board also invited his former Master Barber to attend the next apprentice class with hopes he would better understand his role as a sponsor. Mr. Ausby also explained the Barber Board would have a new limited license and indicated that Mr. Galloway might be able to explore this potential license.

Cory Cromwell- Mr. Cromwell, a licensed apprentice, came before the Board requesting all of his apprentice training hours be considered, although he mailed them in all at once. The Board advised Mr. Cromwell he is eligible for a renewal, but his former hours would not carry-over.

Gregory Lee - Mr. Lee holds an expired barber apprentice license and was granted two restarts in the past. Mr. Lee advised the difficulty he experienced with prior sponsors, but indicated that he would be successful in his third attempt. The Board unanimously agreed to grant Mr. Lee a third restart.

Conviction

Sheldon Howard came before the Board to discuss a sexual assault case that occurred while he was enlisted in the military. Mr. Howard went into great detail in explaining about the case. Mr. Mazza made a motion to go into executive session at 12:15 pm to receive legal advice from counsel and Mr. Ausby seconded the motion. The Board came out of executive session at 12:17 pm and unanimously voted to allow Mr. Howard to obtain his barber's license.

OLD BUSINESS

Limited Barber Stylist Content Outline

Per the Board's request for revisions at the September 14, 2015 meeting, Mr. Mazza revised the curriculum. The Board requested additional adjustment of hours taught in certain areas of the new curriculum. Mr. Mazza stated that the curriculum content outline as submitted meets the scope of practice as outlined under the limited Practice license but will comply with the Board's request and send an update to all Board members and the Director by email. Thereafter, it was agreed that a phone call poll would take place regarding the curriculum.

ADJOURNMENT

There being no further business to discuss, a motion was made by Chair Avara, seconded by Mr. Mazza and unanimously carried to adjourn the meeting. The meeting was adjourned at 1:38 pm.

Lawrence Avara, Chairperson

Date