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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

**STATE BOARD OF BARBER EXAMINERS
VIA VIDEOCONFERENCE**

TIME: 10:32 A.M.

Monday, February 28, 2022

State Board of Barber Examiners
February 28, 2022

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BOARD MEMBERS:

Arion R. Claggett, Acting Commissioner, Bureau of Professional and Occupational Affairs - Absent
Dominic A. Muniz, Chairman, Professional Member
Ronald Gray Jr., Vice Chairman, Professional Member
Ginger Etter, Secretary, Consumer Protection Member
Burr L. Edsall, Professional Member
Michael McAndrew, Professional Member
Charles Seright, Professional Member

BUREAU PERSONNEL:

Ronald K. Rouse, Esquire, Board Counsel
Carolyn DeLaurentis, Deputy Chief Counsel, Prosecution Division
Heather J. McCarthy, Esquire, Senior Board Prosecutor
James Ritchie Espino Ostman, Esquire, Board Prosecution Liaison
Sparkle Thompson, Board Administrator
Deena Parmelee, Legal Office Administrator 1, Department of State
Danie Bendesky, Director of Intergovernmental Affairs, Department of State
Andrew LaFratte, MPA, Executive Policy Specialist, Department of State

ALSO PRESENT:

Jen Smeltz, Republican Executive Director, Senate Consumer Protection & Professional Licensure Committee
Jerry J. Livingston, Democratic Executive Director, Senate Consumer Protection & Professional Licensure Committee
Michael Yanoff, Esquire, Goldstein Law Partners

1 ***

2 State Board of Barber Examiners

3 February 28, 2022

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
6 9:00 a.m. the Board entered into Executive Session
7 with Ronald K. Rouse, Esquire, Board Counsel, to have
8 attorney-client consultation and for the purpose of
9 conducting quasi-judicial deliberations. The Board
10 concluded its Executive Session at 10:30 a.m.]

11 ***

12 [Ronald K. Rouse, Esquire, Board Counsel, noted the
13 meeting was being recorded, and those who continued to
14 participate were giving their consent to be recorded.

15 Mr. Rouse informed everyone that the Board met in
16 Executive Session to have attorney-client consultation
17 and for the purpose of conducting quasi-judicial
18 deliberations prior to the Board meeting.]

19 ***

20 The regularly scheduled meeting of the State Board
21 of Barber Examiners was held on Monday, February 28,
22 2022. Dominic A. Muniz, Chairman, Professional
23 Member, called the meeting to order at 10:32 a.m.

24 ***

25 Pledge of Allegiance

1 [The Pledge of Allegiance was recited.]

2 ***

3 Roll Call

4 [Roll call was taken by Mr. Rouse. A quorum was
5 present.]

6 ***

7 Introduction of Attendees

8 [Sparkle Thompson, Board Administrator, provided an
9 introduction of attendees.]

10 ***

11 Approval of minutes of the December 20, 2021 meeting

12 CHAIRMAN MUNIZ:

13 Could I have a motion for the approval
14 of minutes of December 20, 2021?

15 Do I have a motion?

16 MR. GRAY:

17 Motion.

18 MR. MCANDREW:

19 Second.

20 CHAIRMAN MUNIZ:

21 All in favor, say aye. Anyone opposed?

22 Any nay?

23 [The motion carried. Charles Seright abstained from
24 voting on the motion.]

25 ***

1 [Ronald K. Rouse, Esquire, Board Counsel, welcomed new
2 Board member, Charles Seright.

3 Mr. Seright noted being ready to learn and to
4 serve on the Board.

5 Chairman Muniz also welcomed Mr. Seright.]

6 ***

7 Appointment - Prosecution Division Annual Report
8 Presentation

9 [Carolyn A. DeLaurentis, Esquire, Deputy Chief
10 Counsel, Prosecution Division, provided a summary of
11 the prosecution division's caseload during 2021.

12 Ms. DeLaurentis informed the Board that 471 cases
13 were opened in 2021, which is a decrease from 2020 at
14 528 cases for the State Board of Barber Examiners.
15 She noted closing 457 cases in 2021, which is an
16 increase in closures from 2020 at 400 cases. She
17 thanked Board members, prosecutors, and counsel for
18 working together for the safety of the public and for
19 protecting the integrity of the profession. She
20 reported 518 open cases for the Board as of January 1,
21 2022.

22 Ms. DeLaurentis addressed enforcement actions,
23 noting 70 cases resulted in discipline in 2021 with 1
24 fine, 60 Act 48 fines or citations, 2 suspensions, 5
25 automatic suspensions, and 2 reprimands. She also

1 reported 66 warning letters in 2021, which was an
2 increase from 37 in 2020.

3 Ms. DeLaurentis addressed COVID-related cases,
4 noting that one complaint may result in more than one
5 case being opened. She reported 1,223 cases were
6 opened regarding COVID in 2020 with 115 of those cases
7 for the State Board of Barber Examiners. She also
8 reported a significant decrease in COVID-related
9 complaints in 2021, mostly for business-related boards
10 but an increase in healthcare-related boards. She
11 reported opening 543 COVID-related cases in 2021 with
12 23 of those for the Board.

13 Ms. DeLaurentis noted a record number of cases
14 opened last year and thanked the administrative
15 assistants for processing so many files. She reported
16 18,363 cases were opened in 2021, which is an increase
17 from 2020 at 13,394.

18 Ms. DeLaurentis reported 15,994 cases were closed
19 in 2021 and 13,274 in 2020. She noted 15,141 open
20 cases as of January 1, 2022.]

21 ***

22 Report of Prosecutorial Division - No Report

23 ***

24 Report of Board Counsel - Motion to Deem Facts

25 Admitted

1 MR. ROUSE:

2 Item 2 on the agenda, which is a Motion
3 to Deem Facts Admitted in the Matter of
4 BPOA v. Robert A. Young, Case No. 18-42-
5 007894, which was a matter discussed in
6 Executive Session.

7 Regarding that matter, I believe
8 the Board would entertain a motion to
9 grant the Motion to Deem Facts Admitted
10 and to direct Board counsel to prepare
11 the Adjudication and Order in accordance
12 with the discussions in Executive
13 Session.

14 Is there such a motion?

15 MR. EDSALL:

16 Motion.

17 MR. ROUSE:

18 Is there a second?

19 MS. ETTER:

20 Second.

21 MR. ROUSE:

22 Any discussion? All those in favor, say
23 aye. All those opposed, say nay. Any
24 abstentions? Any recusals?

25 [The motion carried unanimously.]

1 ***

2 Report of Board Counsel - Final Adjudications and
3 Orders

4 MR. ROUSE:

5 Item 3 on the agenda is BPOA v. Timothy
6 Woodward Barber Shop, Case No. 17-42-
7 12026.

8 Regarding that matter, I believe
9 the Board would entertain a motion to
10 adopt the Adjudication and Order as
11 presented by Board counsel and to direct
12 Board counsel to prepare the Board's
13 Final Order.

14 Is there such a motion?

15 MR. GRAY:

16 Motion.

17 MR. ROUSE:

18 Is there a second?

19 CHAIRMAN MUNIZ:

20 Second.

21 MR. ROUSE:

22 Any discussion? All those in favor, say
23 aye. Any opposed, say nay. Any
24 abstentions? Any recusals?

25 [The motion carried unanimously.]

1 ***

2 MR. ROUSE:

3 Item 4 on the agenda is a Final
4 Adjudication in the Matter of BPOA v.
5 Wellington Rosero d/b/a Boss Barber
6 Shop, Case No. 19-42-011796.

7 I believe the Board would entertain
8 a motion to adopt the Adjudication and
9 Order as presented by Board counsel and
10 to direct Board counsel to prepare the
11 Board's Final Order.

12 Is there such a motion?

13 CHAIRMAN MUNIZ:

14 Motion.

15 MR. MCANDREW:

16 Second.

17 MR. ROUSE:

18 Any discussion? All those in favor, say
19 aye. Any opposed, say nay. Any
20 abstentions? Any recusals?

21 [The motion carried unanimously.]

22 ***

23 Report of Board Counsel - Citation Appeals

24 MR. ROUSE:

25 Next is the Citation Appeal of Dave's

1 Barber Styling, Case No. 20-42-002280.
2 Is there anyone in the public here for
3 that matter? No one regarding that
4 matter. This matter was discussed in
5 Executive Session.

6 Regarding the Citation Appeal of
7 Dave's Barber Styling, Case No. 20-42-
8 002280 at item 5 on the agenda, I
9 believe the Board would entertain a
10 motion to direct Board counsel to
11 prepare an order vacating the hearing
12 examiner's Default Judgment Order of
13 December 10, 2021 and remanding this
14 matter to the hearing examiner for a
15 hearing.

16 Is there such a motion?

17 CHAIRMAN MUNIZ:

18 Motion.

19 MR. ROUSE:

20 Is there a second?

21 MS. ETTER:

22 Second.

23 MR. ROUSE:

24 Any discussion? All those in favor, say
25 aye. All those opposed, say nay. Any

1 abstentions? Any recusals?

2 [The motion carried unanimously.]

3 ***

4 MR. ROUSE:

5 Regarding the Citation Appeal of Brian
6 D. Penna, Case No. 20-42-003090. Is
7 there anyone in the public here on that
8 matter? Hearing none.

9 Regarding the Citation Appeal of
10 Brian D. Penna at item 6 on the agenda,
11 I believe the Board would entertain a
12 motion to direct Board counsel to
13 prepare an order vacating the hearing
14 examiner's Default Judgment Order of
15 January 3, 2022 and remanding this
16 matter to the hearing examiner for a
17 hearing.

18 Is there such a motion?

19 CHAIRMAN MUNIZ:

20 Motion.

21 MR. GRAY:

22 Second.

23 MR. ROUSE:

24 Any discussion? All those in favor, say
25 aye. All those opposed, say nay. Any

1 abstentions? Any recusals?

2 [The motion carried unanimously.]

3 ***

4 Report of Board Counsel - Regulatory Discussion

5 [Ronald K. Rouse, Esquire, Board Counsel, referred to
6 16A-4211. He provided a letter, dated January 26,
7 2022, issued by the Independent Regulatory Review
8 Commission (IRRC) informing the Board IRRC approved
9 the State Board of Barber Examiners regulation
10 regarding graduated fee increases for the Board's
11 review. He noted the regulation is now with the
12 Pennsylvania Office of Attorney General for approval
13 and will eventually be published in the *Pennsylvania*
14 *Bulletin* for public notice of fee increases.

15 Mr. Rouse thanked the Board for their hard work
16 getting the regulation approved.]

17 ***

18 Report of Board Counsel - Other

19 [Ronald K. Rouse, Esquire, Board Counsel, referred to
20 Act 100 of 2021 regarding the modernization of BPOA
21 state board meetings and functions. He noted it
22 allows each licensing board and commission to use a
23 virtual platform to conduct business when public
24 meetings are held. He also noted licensing boards and
25 commissions may use a virtual platform to establish a

1 quorum and effectuate business if the platform allows
2 for live participation.

3 Mr. Rouse stated each licensing board and
4 commission shall establish rules and regulations for
5 continuing education that provides for distance
6 education if continuing education is required for a
7 license. He mentioned that the Board does not have
8 continuing education and would not be an issue for the
9 Board.

10 Mr. Rouse commented that in order to meet
11 supervision requirements for license, certificate,
12 registration, or permit hours in a practice act that
13 each licensing board and licensing commission shall
14 establish rules and regulations providing for virtual
15 supervision. He mentioned virtual supervision would
16 be discussed further under the general revisions
17 regulation.

18 Mr. Rouse addressed Act 76 of 2021 regarding
19 barber distance education, which amends Section 12 of
20 the Barbers' License Law by allowing barber schools to
21 offer up to 50 percent of a school's curriculum
22 through distance education. He stated a student may
23 only earn barbering study and training hours through
24 distance education for theory-based subjects, and the
25 barber school curriculum may not offer practical

1 demonstrations through distance education.

2 Mr. Rouse noted prior discussion at the last
3 meeting and further discussion under General Revisions
4 at item 7 on the agenda.]

5

6 Report of Board Counsel - Regulatory Discussion
7 [Ronald K. Rouse, Esquire, Board Counsel, addressed
8 Regulation 16A-429 regarding general revisions. He
9 referred to § 3.1 under definitions and noted the
10 addition of definitions for distance education,
11 asynchronous, synchronous, and hybrid. He asked
12 whether the Board had any amendments to the
13 definitions, and Board members approved the
14 definitions.

15 Mr. Rouse referred to § 3.11 regarding types of
16 licenses, noting the change from barbershop permit to
17 barbershop license and the change from barber school
18 permit or license to barber school license because the
19 Board issues a license.

20 Mr. Rouse referred to § 3.13 regarding display,
21 replacement, and change of address. He note the
22 deletion of the word "and" and addition of the word
23 "or," where every license or permit issued by the
24 Board shall be displayed in a conspicuous place in the
25 place of business or place of employment of the holder

1 in § 3.13(a).

2 Mr. Rouse referred to § 3.13(b), when an original
3 license or permit is lost, stolen or destroyed, the
4 licensee shall immediately report the incident to the
5 Board. He noted the deletion of the word
6 "immediately" and the addition of "within 10 calendar
7 days."

8 Mr. Rouse referred to § 3.13(c), barbers changing
9 their registered address shall immediately notify the
10 Board of the change. He noted deleting the word
11 "immediately" and the addition of "within 10 calendar
12 days."

13 Mr. Rouse referred to § 3.13(d), barbershop owners
14 seeking to change their registered address or persons
15 taking over as owners of an existing shop shall apply
16 to the Board for an application for a new permit and
17 return the permit issued for the former shop with the
18 completed application for it to read, "barbershop
19 owners seeking to change their registered address or
20 persons taking over as owners of an existing
21 barbershop shall apply to the Board for an application
22 for a new license and return the license issued for
23 the former barbershop with the completed application."

24 Mr. Rouse referred to § 3.14(a) prohibitions,
25 noting the addition of the word "shop" for it to read,

1 an individual who is not properly licensed by the
2 Board may not be employed in a licensed barbershop or
3 barber school. He noted the deletion of "registered
4 with" and the addition of "licensed by" for § 3.13(b)
5 to read, an individual to whom a license or permit has
6 been issued may not work in a barbershop or barber
7 school that is not licensed by the Board.

8 Mr. Rouse referred to § 3.15 escrow of licenses
9 and failure to renew, noting the change to "inactive
10 status and failure to renew."

11 Mr. Rouse noted changes to § 3.15(a) to read, a
12 barber, manager-barber or barber-teacher who fails to
13 renew a license for a 5-year period is required to
14 take the appropriate practical examination and pay
15 applicable back fees prior to renewal of the license.
16 A licensee failing to file a biennial renewal
17 registration application or pay the required
18 registration fee by the registration date shall have
19 these licenses classified as expired. As long as a
20 licensee holds an expired license, the licensee is not
21 permitted to practice in this Commonwealth. A
22 licensee who practiced during a period in which the
23 license was expired is required to pay a late fee of
24 \$5 for each month or part of a month since the
25 expiration of the biennial renewal registration and

1 may be subject to disciplinary proceedings before the
2 Board or criminal prosecution or both.

3 Mr. Rouse noted new section § 3.15(a)(1) to read,
4 a barbershop or barber school that fails to file a
5 biennial renewal registration application or pay the
6 required registration fee shall have its license
7 classified as expired. As long as the barbershop or
8 barber school holds an expired license, the barbershop
9 or barber school is not permitted to operate in this
10 Commonwealth. A barbershop or barber school that
11 operates during a period of which its license has
12 expired is required to pay a later fee of \$5 for each
13 month or part of a month since the expiration of the
14 biennial renewal registration and may be subject to
15 disciplinary proceedings before the Board or criminal
16 prosecution or both.

17 Mr. Rouse noted new section § 3.15(a)(2) to read,
18 a licensee whose license has expired must file a
19 reactivation application with the Board and pay the
20 appropriate fee. He stated the licensee may not
21 resume the practice of barbering or operation of the
22 facility until the Board has reactivated the license
23 was a detail added for clarification.

24 Chairman Muniz expressed concern with removing
25 escrow from the wording because escrow is one of the

1 words someone has to know when a student takes their
2 barbering exams.

3 Mr. Rouse explained that changes in the statute
4 or changes in regulations need to be a part of the
5 examination and would be submitted to Pearson VUE or
6 exam administrator.

7 Mr. Rouse referred to § 3.21 temporary student
8 license, noting the deletion of "license" and the
9 addition of "permit" and § 3.21(a) to read, upon
10 payment of the required fee, a temporary permit may be
11 issued to an applicant who is eligible for admission
12 to the barber examination. An applicant who is issued
13 a temporary permit shall practice only under the
14 supervision of a licensed manager-barber until results
15 are available from the next scheduled examination.
16 Temporary permits are granted for a 9-month period.

17 Mr. Rouse also noted § 3.21(c) to read, the shop
18 owner or manager shall verify the graduation or
19 completion date before allowing the student to work in
20 the shop.

21 Chairman Muniz commented that manager-barber
22 should be barber-manager.

23 Mr. Rouse stated that manager-barber could be
24 changed to barber-manager universally throughout the
25 document to be consistent with the license received,

1 and Board members agreed. Board members also agreed
2 with changing the word "license" to "permit."

3 Mr. Rouse also asked whether the Board wished to
4 make any changes to the 9-month temporary permit
5 period and asked whether the 9 months is an incentive
6 to get people to test as quickly as possible.

7 Chairman Muniz commented that people drag testing
8 out longer when they have 9 months, noting they have
9 another year after that point in order to take their
10 practical or theory and is like a year and a half or a
11 year and 9 months.

12 Chairman Muniz referred to situations where
13 people receive their license and are going through the
14 application process, and the application on the
15 Pennsylvania Licensing System (PALS) expires but they
16 are able to check a box for another 9-month temporary
17 license and actually get one.

18 Mr. Rouse mentioned that there has always been
19 one 9-month permit for the life of the candidate from
20 the Board's office standpoint. He stated allowing
21 them another 9 months is something that would have to
22 be in the regulations.

23 Chairman Muniz noted being okay with allowing
24 someone a second temporary license after their
25 application expired. He further explained that their

1 application does not expire on PALS because they have
2 not completed their application but depends on
3 testing. He explained that someone whose application
4 was processed but did not take their test and it is
5 already a year later is when that license expires.

6 Chairman Muniz further explained that someone who
7 takes their theory at month 6 and has a year after
8 that point to take their practical that the
9 application would expire for the following year, but
10 if they do not do anything and go past that year where
11 they are not able to take their practical, that is
12 when the license expires. He stated permission would
13 be needed to confirm their availability to reapply for
14 that license again.

15 Mr. Rouse offer to add language with those
16 details because that has been the part that has not
17 been clear, where they would be able to get a
18 temporary permit off the new application.

19 Mr. Edsall expressed concern with allowing
20 another temporary license because it would prolong
21 their testing. He stated a second temporary license
22 should not be available, and the 9-month temporary
23 license makes the applicant get their application and
24 testing done.

25 Chairman Muniz commented that every situation is

1 different and not everyone has guidance, where many
2 are working for 9 months and studying afterwards. He
3 noted the applicant should be able to reapply and
4 continue to work, because at that point, they cannot
5 work and could weigh down on the barbershop also.

6 Mr. Rouse mentioned the importance of clarity in
7 terms of whether the permit is tied to the application
8 as opposed to having a temporary permit 3 years ago
9 you are not getting another one, where someone it is a
10 new application if someone wants to come back to the
11 profession.

12 Mr. Seright suggested lessening the time period
13 of the practical exam to encourage everyone to get
14 those two tests done within a short amount of time
15 before the expiration of the application.

16 Chairman Muniz explained that the practical
17 examination is bimonthly and not in every city, where
18 Pittsburgh and Philadelphia only have bimonthly
19 testing and it could be difficult to schedule their
20 exam because seats are full, especially with COVID.

21 Mr. Rouse commented that the issue is more in
22 terms of whether someone who has a new application can
23 get a new temporary permit and offered to write it in
24 and present it back to the Board at the next Board
25 meeting.

1 Mr. Edsall stated the 9-month temporary license
2 is a good time period, where theory can be taken
3 anytime and practical can be done three or four times
4 a year. He noted being opposed to having a temporary
5 license in regular non-COVID times, but COVID has
6 brought along bigger challenges and suggested
7 addressing the issue later on to see how the testing
8 is being accommodated.

9 Mr. Rouse noted the question is whether there
10 should be clear language in the regulation, where
11 someone can get a temporary permit if they have to
12 reapply, because the current language reads one 9-
13 month permit for the life of the candidate.

14 Chairman Muniz commented that it would allow
15 barber numbers to stay high and allow people a chance
16 to get their license and not take anybody's
17 opportunity away from them.

18 Mr. Rouse informed that Board that he would write
19 in the language for further discussion at the next
20 Board meeting. He noted the document has to be
21 released to stakeholders as an exposure draft at some
22 point and would give them the opportunity to weigh in
23 on this issue as well.

24 Mr. Seright commented that 9 months is long
25 enough and agreed that an extension due to the

1 circumstances over the last couple of years may be
2 granted but disagreed with continuing to receive 9
3 months over and over again.

4 Chair Muniz suggested having a certain time
5 frame, possibly within 3 years, to be able to reapply
6 and get a temporary license again but to not take it
7 away completely.

8 Mr. Rouse referred to § 3.53 minimum space
9 requirement amendment discussed by the past Board,
10 where a barbershop still has a minimum of at least 180
11 square feet for a 1 chair shop, at least 240 square
12 feet for a 2 chair shop, and 60 additional square feet
13 for each additional chair. An applicant may apply in
14 writing for a variance from the space requirements in
15 this section. The Board may grant a variance if the
16 Board believes it is reasonable.

17 Chairman Muniz stated it should be kept the way
18 it is, and there should not be any changes to the 12 x
19 15 identified for each additional chair.

20 Mr. Rouse noted the regulations will stay the
21 same as far as space requirements.

22 Mr. Rouse referred to § 3.54 minimum equipment
23 requirements and noted past Board discussion changing
24 § 3.54(16), two razors for each chair in operation, at
25 least one of which is nondisposable to "one straight

1 razor, which may be disposable for each chair.”

2 Chairman Muniz agreed with that change and
3 suggested having at least 1 washbowl or sink for every
4 2 chairs, noting he has a 10 chair barbershop and
5 never used more than 2 washbowls. He stated
6 no more than 2 washbowls are needed after 4 chairs
7 inside of a barbershop.

8 Mr. Edsall addressed Pennsylvania inspectors,
9 noting they have a different interpretation as to
10 whether something is a shampoo bowl or a wash sink
11 and questioned whether the verbiage needed to be
12 changed or should it say washbowl or washstand. He
13 noted the importance of being specific with the
14 verbiage, where no more than 2 shampoo sinks are
15 necessary.

16 Mr. Rouse noted the Board decided on the minimum
17 requirement of 1 shampoo bowl for 3 chairs and 2
18 shampoo bowls for 4 chairs and over.

19 Mr. Rouse stated the past Board removed 1 strop
20 and 1 hone as a requirement and stated a barbershop
21 may provide for the following: 1 strop, 1 hone, and
22 hair tonic, face lotion, cold cream, or massage cream.

23 Chairman Muniz noted that is optional and should
24 not be a regulation because not everybody provides
25 facials at their barbershops.

1 Mr. Rouse noted § 3.55 maintenance and sanitation
2 is cleaning up the language.

3 Mr. Edsall referred to § 3.54(7) minimum
4 equipment requirements, noting a requirement for 1
5 covered trash container for every two chairs should
6 just read trash container.

7 Chair Muniz, referred to § 3.54(23) 2 clean
8 haircloths for each chair should read, 2 clean
9 haircloths or drapes.

10 Chairman Muniz suggested changing language to a
11 barbershop may provide for the following: 1 strop, 1
12 hone, hair tonic lotion, and massage cream so it is
13 optional.

14 Mr. Rouse referred to § 3.55 maintenance and
15 sanitation, noting a change in (d) where a barbershop
16 shall provide hot and cold running water at a
17 convenient location within the barbershop, and Board
18 members agreed.

19 Mr. Rouse referred to § 3.84 space, noting the
20 Board decided to keep the space requirement the way it
21 is now.

22 Mr. Rouse referred to § 3.85 equipment, noting
23 the past Board wanted to remove those items, and Board
24 members agreed.

25 Chairman Muniz suggested changing lather mixer to

1 lather machine, a minimum of 4 shampoo bowls within a
2 school, 1 waste container for every 2 chairs, 1
3 covered hamper, and one 24 x 30 mirror.

4 Mr. Rouse referred to § 3.90(a), where a barber
5 school may offer up to 50 percent of the schools'
6 curriculum through distance education. The student at
7 a barber school may only earn barbering study and
8 training hours for theory-based coursework. Practical
9 demonstrations may not be offered through distance
10 education. Up to 625 hours of theory-based coursework
11 of the 1250-hour barber curriculum and barber-teacher
12 curriculum may be delivered at a barber school through
13 distance education.

14 Mr. Rouse stated the numbers for the hours of
15 theory-based coursework are based on the numbers the
16 Board discussed when they did the waivers for COVID
17 and is consistent with Act 76 of 2021, which is the
18 amendment to the Barbers' License Law to say that
19 barber schools can provide up to 50 percent of theory
20 coursework through distance education.

21 Mr. Rouse further explained that it is 50 percent
22 of the entire 1250 hours but must be theory
23 coursework. He noted prior discussion regarding the
24 courses to see what part would be theory because even
25 with practical courses, there is a theory part that

1 needs to be taught first and that is how the Board
2 came up with the numbers.

3 Mr. Rouse noted that the 50 percent of a barber
4 curriculum for distance education could be monitored
5 with the passage rates for the exam and could be
6 discussed during public session to try to pinpoint the
7 issues.

8 Mr. Rouse stated there was a new section added
9 regarding the barber crossover curriculum, where 347
10 hours of the 695 hours could be provided through
11 theory-based coursework and will be discussed at the
12 next Board meeting.

13 Mr. Rouse asked whether Board members wished to
14 add a section for barbershops similar to what was
15 added to barber schools regarding distance education
16 because Act 100 of 2021 requires some type of
17 provision for virtual supervision for students. He
18 mentioned prior Board discussion about what percentage
19 of distance education could be provided in barbershops
20 and believed the number was 350 hours through virtual
21 learning.

22 Mr. Edsall expressed concern with being able to
23 monitor students in one-on-one interactive education.

24 Chairman Muniz discussed his attendance at the
25 National Association of Barber Boards of America

1 (NABBA), where there was a company that had
2 apprenticeships online with a system capable of
3 monitoring hours and able to record everything. He
4 suggested obtaining information as to whether someone
5 in Pennsylvania would be able to provide program a
6 monitored apprenticeship course online.

7 Mr. Rouse commented that the Board may want to
8 clarify in the regulations that such a program would
9 be like synchronous distance education, where the
10 barber and apprentice would have that contact
11 simultaneously.

12 Chairman Muniz commented that students who would
13 be assigned questions and exams at home would be
14 giving their time and putting hours in that would be
15 hours they could be getting toward their
16 apprenticeship.

17 Mr. Edsall noted that the Milady program and
18 workbook are the most they have ever used, where they
19 are reading chapters and doing workbook assignments
20 outside but is not monitored work.

21 Chairman Muniz mentioned the Cengage program with
22 Milady, where they can monitor things like that but
23 only a barber school owner has access to that. He
24 stated apprenticeships are limited as far as what can
25 be provided and suggesting leaving that alone for now.

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Mr. Rouse informed the Board that he would write up all the changes the Board made and place it on the agenda for discussion at the next Board meeting.]

Report of Acting Commissioner - No Report

Report of Board Chair

[Dominic A. Muniz, Chairman, Professional Member, noted the importance of going through all the regulations and talking about general revisions because it is a big part of the profession.]

Report of Board Administrator - No Report

Application

MR. ROUSE:

Cutting Edge Family Barbershop LLC, which was a Variance Request discussed in Executive Session. Is there anyone here on the Cutting Edge Family Barbershop matter? Hearing none.

I believe regarding the Application of Cutting Edge Family Barbershop LLC, Application No. AA0003470805, the Board

1 would entertain a motion to
2 provisionally deny the request for a
3 variance.

4 Is there such a motion?

5 CHAIRMAN MUNIZ:

6 Motion.

7 MR. EDSALL:

8 Second.

9 MR. ROUSE:

10 Any discussion? All those in favor, say
11 aye. All those opposed, say nay. Any
12 abstentions? Any recusals?

13 [The motion carried unanimously.]

14 ***

15 MR. ROUSE:

16 If we could amend the agenda because it
17 has the application as number 1 when it
18 is number 11, and the appointment, which
19 is listed as number 2, should be number
20 12.

21 Is there a motion to amend these
22 items on the agenda?

23 CHAIRMAN MUNIZ:

24 Motion.

25 MR. ROUSE:

1 Is there a second?

2 MR. GRAY:

3 Second.

4 MR. ROUSE:

5 Any discussion? All those in favor, say
6 aye. All those opposed, say nay. Any
7 abstentions? Any recusals?

8 [The motion carried unanimously.]

9 ***

10 Meeting Dates

11 [Dominic A. Muniz, Chairman, Professional Member,
12 noted the next Board meeting date is scheduled for
13 April 25, 2022.]

14 ***

15 Adjournment

16 CHAIRMAN MUNIZ:

17 Motion to adjourn?

18 MR. GRAY:

19 Motion.

20 CHAIRMAN MUNIZ:

21 Could I get a second?

22 MR. EDSALL:

23 Second.

24 CHAIRMAN MUNIZ:

25 That's it.

1 [The motion carried unanimously.]

2 ***

3 [There being no further business, the State Board of
4 Barber Examiners Meeting adjourned at 12:52 p.m.]

5 ***

6

7

CERTIFICATE

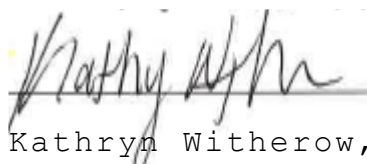
8

9 I hereby certify that the foregoing summary
10 minutes of the State Board of Barber Examiners
11 meeting, was reduced to writing by me or under my
12 supervision, and that the minutes accurately summarize
13 the substance of the State Board of Barber Examiners
14 meeting.

15

16

17



18

Kathryn Witherow,

19

Minute Clerk

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Sargent's Court Reporting

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Service, Inc.

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STATE BOARD OF BARBER EXAMINERS
REFERENCE INDEX

February 28, 2022

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TIME	AGENDA
9:00	Executive Session
10:30	Return to Open Session
10:32	Official Call to Order
10:32	Pledge of Allegiance
10:33	Roll Call/Introduction of Attendees
10:38	Approval of Minutes
10:40	Appointment - Carolyn A. DeLaurentis, Esquire, Deputy Chief Counsel, Prosecution Division Annual Report Presentation
10:52	Report of Board Counsel
12:46	Report of Board Chairman
12:48	Applications
12:51	Amendments to Agenda
12:52	Adjournment