

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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: 10:31 A.M.

Monday, June 21, 2021

State Board of Barber Examiners
June 21, 2021

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

BOARD MEMBERS:

K. Kalonji Johnson, Commissioner, Bureau of
Professional and Occupational Affairs
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

BUREAU PERSONNEL:

Ronald K. Rouse, Esquire, Board Counsel
Dean F. Picarella, Esquire, Senior Board Counsel
James Ritchie Espino Ostman, Esquire, Board
Prosecution Liaison
Heather J. McCarthy, Esquire, Senior Prosecutor
Kelly I. Diller, Board Administrator
Theodore Stauffer, Executive Assistant, Bureau of
Professional and Occupational Affairs
Andrew LaFratte, MPA, Executive Policy Specialist,
Department of State

ALSO PRESENT:

Jen Smeltz, Republican Executive Director, Senate
Consumer Protection & Professional Licensure
Committee
Jennifer Bersch, Program Manager, Pearson VUE
Kellie Tavoularis, Technical Evaluation Manager,
Pearson VUE
Kelly Kolling, Director of Operations, Barber School
of Pittsburgh
Ruthann Mulay, Lead Barber Evaluator, Pearson VUE
Stephanie Brayall, Regional Manager, Pearson VUE

1 ***

2 State Board of Barber Examiners

3 June 21, 2021

4 ***

5 [Theodore Stauffer, Executive Assistant, Bureau of
6 Professional and Occupational Affairs, noted the
7 meeting was being recorded, and those who remained on
8 the line were giving their consent to be recorded.]

9 ***

10 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
11 9:00 a.m. the Board entered into Executive Session
12 with Ronald K. Rouse, Esquire, Board Counsel, to have
13 attorney-client communications and for the purpose of
14 conducting quasi-judicial deliberations. The Board
15 concluded its Executive Session at 10:30 a.m.]

16 ***

17 The regularly scheduled meeting of the State Board
18 of Barber Examiners was held on Monday, June 21, 2021.
19 Dominic A. Muniz, Chairman, Professional Member,
20 called the meeting to order at 10:31 a.m.

21 ***

22 Pledge of Allegiance

23 [The Pledge of Allegiance was recited.]

24 ***

25 Roll Call

1 [Roll call was taken by Ms. Diller. A quorum was
2 noted to be present.

3 Chairman Muniz introduced and welcomed Burr
4 Edsall as the newest member to the State Board of
5 Barber Examiners.

6 Mr. Edsall expressed his pleasure to serve on the
7 Board.

8 Mr. Rouse thanked Ken Jaram for his service to
9 the State Board of Barber Examiners.]

10 ***

11 Introduction of Guests

12 [Chairman Muniz requested an introduction of guests.]

13 ***

14 Approval of minutes of the August 19, 2019 meeting

15 MR. ROUSE:

16 I believe there is a motion to accept
17 the minutes of August 19, 2019.

18 Is there such a motion?

19 CHAIRMAN MUNIZ:

20 Motion.

21 MR. ROUSE:

22 Is there a second?

23 MS. ETTER:

24 Second.

25 MR. ROUSE:

1 Any discussion? All those in favor, say
2 aye. All those opposed, say nay.

3 [The motion carried. Mr. McAndrew and Mr. Edsall
4 abstained from voting on the motion.]

5 ***

6 Approval of minutes of the April 19, 2021 meeting

7 MR. ROUSE:

8 I believe there is a motion to accept
9 the minutes of April 19, 2021.

10 Is there such a motion?

11 MS. ETTER:

12 Motion.

13 MR. ROUSE:

14 Is there a second?

15 MR. MCANDREW:

16 Second.

17 MR. ROUSE:

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

21 [The motion carried. Mr. Edsall abstained from voting
22 on the motion.]

23 8***

24 Report of Prosecutorial Division

25 [James Ritchie Espino Ostman, Esquire, Board

1 Prosecution Liaison, had no formal report to offer the
2 Board.]

3 ***

4 Appointment - Pearson VUE

5 Jennifer Bersch, Program Manager, Pearson VUE,
6 addressed the lifting of COVID-19 restrictions,
7 particularly in Pennsylvania across Pearson VUE
8 testing sites. She reminded everyone that as of
9 August 17, 2020, the Pennsylvania State Board of
10 Barber Examiners approved the resumption of the PA
11 Barber Practical Examination beginning with the
12 September 2020 exams.

13 Ms. Bersch stated the Board approved exam
14 modifications and confirmed the changes were meant to
15 be temporary and the result of the COVID-19 pandemic
16 safety protocols. She commented that Pearson VUE had
17 been testing in their third-party practical sites with
18 the modifications in place.

19 Ms. Bersch noted current modifications related to
20 the actual facial shave, which was still currently
21 being conducted on the live model, where the model has
22 to remove the mask from behind his or her ears and
23 places the mask in a vertical position so the shave
24 steps can be conducted. She also noted the modified
25 steps for the facial procedure are all taking place

1 currently on the manikin that the exam candidate
2 brings with them to the exam site.

3 Ms. Bersch stated further conversations and
4 details regarding how and when the modified exam steps
5 can be lifted have yet to be determined. Masks are
6 still required in Pearson VUE testing centers, but
7 temperatures were no longer being taken of the models
8 and candidates.

9 Ms. Bersch provided testing date information with
10 an exam at the Harrisburg and Philadelphia locations
11 on July 12, 2021, and at the Pittsburgh location on
12 July 19, 2021.

13 Ms. Bersch expected more information to become
14 available within the next few weeks and will convey
15 the same to the Board for further discussion and
16 modifications as the Board sees fit.

17 Ms. Bersch commented that Pennsylvania barber
18 schools and barber shops requirements and regulations
19 have changed, things are lifting, and Pearson VUE may
20 not be 100 percent aligned at this time. She noted
21 discussion with Pearson VUE's counsel talking about
22 the next steps and what can be done for the Board when
23 administering examinations, considering the modified
24 steps are still in place.

25 Mr. Rouse addressed barber shop and school clinic

1 COVID-19 guidance, where the COVID-19 guidance for
2 barber shops and barber schools was updated on the
3 State Board of Barber Examiner's website on May 25,
4 2021, following the current CDC guidance for
5 businesses regarding masking and social distancing.

6 Mr. Rouse provided a summary of the new guidance.
7 He stated barber shops can take walk-in appointments.
8 Barber shops and schools can open up to 100 percent.
9 People can sit in a barber shop. Magazines are
10 permitted on site. Barber shops can operate shoe
11 shining businesses and allied businesses associated
12 with barbering.

13 Mr. Rouse commented that the Board cannot provide
14 guidance on how to determine whether or not someone is
15 fully vaccinated or not fully vaccinated, noting it to
16 be a business decision that has to be made and is part
17 of the discussion that Pearson VUE was talking about,
18 where they still require everyone to keep the mask on.
19 He mentioned that the current modification of the
20 barber exam should continue at this point to be
21 consistent with the business decision that Pearson VUE
22 has made because there is a question in terms of
23 policing who is vaccinated and not vaccinated.

24 Mr. Rouse commented that the temporary
25 modifications will continue at this time and Ms.

1 Bersch will return to the next Board meeting to
2 provide an update and continue that discussion should
3 things change.]

4

5 Report of Board Counsel - Adjudications and Order

6 MR. ROUSE:

7

Item 3 on the agenda is the proposed

8

Adjudication and Order In the Matter of

9

BPOA v. Aurelio Rivera-Lopez, Case No.

10

18-42-011643. This was a matter that

11

was discussed in Executive Session.

12

I believe the Board would entertain

13

a motion to direct Board counsel to

14

prepare a Final Adjudication and Order

15

consistent with the discussion in

16

Executive Session.

17

Is there such a motion?

18

CHAIRMAN MUNIZ:

19

Motion.

20

MR. ROUSE:

21

Is there a second?

22

MS. ETTER:

23

Second.

24

MR. ROUSE:

25

Any discussion? All those in favor, say

1 licensure requirements and explore alternative
2 approaches, such as certification and maintaining
3 public health and safety.

4 Mr. LaFratte commented that the first year of the
5 study was a 50-state comparison of Pennsylvania
6 license requirements to the other 49 states and would
7 be available on the Department of State's website
8 within the next few weeks. He also mentioned a study
9 for year three of the project concerning potential
10 licensees who have moved to Pennsylvania within the
11 last five or so years and fall under the category of
12 immigrant, refugee, or asylee status.

13 Mr. LaFratte stated Pennsylvania has one of the
14 largest veteran populations in the United States with
15 nearly 1 million veterans and active-duty service
16 members, military spouses, and dependents. He noted
17 the United States Department of Labor estimated that
18 the military trains people in nearly 1,000 civilian
19 occupations; however, veterans continue to report
20 finding employment as the most difficult challenge in
21 transitioning to civilian life and work.

22 Mr. LaFratte addressed military spouses, where
23 35-50 percent work in fields that require licensure or
24 certification. He commented that the United Service
25 Organization (USO) estimates that military families

1 move once every three years, resulting in over 70
2 percent of military spouses having to renew their
3 license or having a license reissued upon moving. He
4 noted many military spouses are forced with holding
5 multiple state licenses at a time due to the
6 uncertainty of further and future moves, which becomes
7 expensive.

8 Mr. LaFratte noted licensure regulations may
9 deter veterans or military spouses from entering
10 licensed professions. He stated the goal is to remove
11 barriers from veterans and military spouses and help
12 them in transitioning from military to civilian
13 employment and to obtain their occupational license.

14 Mr. LaFratte stated 215 veterans and military
15 spouses were surveyed who held a license in
16 Pennsylvania or in another state, and follow-up data
17 was obtained identifying issues with the transition
18 process.

19 Mr. LaFratte addressed marketing and data
20 collection strategies, including the Department of
21 Veterans Affairs, social and traditional media, and
22 Facebook and Twitter posts in terms of getting the
23 word out.

24 Mr. LaFratte addressed respondent profiles,
25 noting a good response from cosmetologists and a

1 handful of barbers. He stated over a third of
2 respondents served in the Army with a lot of
3 representation from the Army National Guard, Air
4 Force, Navy, and the Marines.

5 Mr. LaFratte addressed the GI Bill and the use of
6 that as it pertains to education at 69 percent, noting
7 the most popular major was healthcare, business,
8 engineering, education, and criminal justice.

9 Mr. LaFratte provided a transition overview,
10 where 42 percent were able to find civilian employment
11 within three months and 16 percent over one year. He
12 addressed Pennsylvania's licensure process compared to
13 other states, noting Pennsylvania is in line with the
14 national trend in terms of reciprocity. He mentioned
15 that most respondents received their occupational
16 license within three months of applying, noting most
17 respondents spent between \$200 and \$500 in initial
18 licensing expenses with the second most popular answer
19 in the \$0 to \$200 range.

20 Mr. LaFratte addressed difficulty in transferring
21 military credentials and experience to satisfy state
22 occupational licensure requirements, which seemed to
23 pose the most significant barrier to veterans. He
24 noted that transferring credentials was the veterans
25 most popular answer, whereas the licensure fees was

1 the most popular answer for military spouses.

2 Mr. LaFratte stated respondents reported
3 acceptance of military training, education and
4 experience, and licensure fee waivers to be the most
5 beneficial to veterans and military spouses.

6 Mr. LaFratte addressed the open comment section,
7 where respondents provided feedback related to the
8 survey for occupational licensing in general. He
9 stated experience and training received from the
10 military needs to be identified in the civilian
11 sector, creating a portal to match service members'
12 talents to civilian employment requirements,
13 assistance with licensure fees would ease the
14 transition, and the constant moves between states lead
15 to expensive licensure costs.

16 Mr. LaFratte addressed policy recommendations and
17 hurdles, such as duplicate coursework and unnecessary
18 training. He noted veterans without college degrees
19 are often pushed to low-skilled jobs even though their
20 background translates well into the abilities required
21 to perform the positions. He mentioned the need for
22 uniform recognition of veterans' skills to aid those
23 in transitioning into the civilian workforce and to
24 reduce unfairness.

25 Mr. LaFratte addressed the Maryland Veterans'

1 Full Employment Act of 2013, where Maryland licensing
2 boards are required to consider relevant military
3 experience when calculating their years of practice
4 and requires licensing boards to credit any
5 substantially equivalent military training and
6 education.

7 Mr. LaFratte stated the act requires certain
8 health occupation boards to assign advisors to
9 military applicants who would guide veterans through
10 the licensing process and direct them to opportunities
11 where they can build credentials if they do not
12 possess the requisite military experience.

13 Mr. LaFratte stated the Department of State
14 Office of Policy is developing a military occupational
15 crosswalk to identify civilian career opportunities
16 for veterans using their military experience.

17 Mr. LaFratte is projecting the crosswalk will
18 contain over 350 military occupations across all five
19 branches of the armed forces with over 70 percent of
20 occupations residing in the healthcare field. He
21 noted the goal of the crosswalk is to educate the
22 state legislature, licensing boards and commissions,
23 veteran community, and employers on how military
24 training and experience aligns directly with civilian
25 education and work experience.

1 Mr. LaFratte addressed a policy recommendation to
2 be done legislatively to expedite an application
3 review for veterans and military spouses by creating
4 an efficient review process minimizing the amount of
5 administrative documents and requirements and even
6 waiving certain licensure prerequisites, including
7 fees and redundant training requirements.

8 Mr. LaFratte provided a map of states that allow
9 temporary permits for military spouses and states that
10 offer expedited application review for military
11 spouses. He noted Pennsylvania offers temporary
12 permits for military spouses. He noted this would
13 have to be done legislatively and with the
14 infrastructure on the Bureau of Professional and
15 Occupational Affairs (BPOA) side.

16 Mr. LaFratte addressed initial licensure fee
17 waivers for military spouses because of the burden in
18 terms of expenses and renewal of multiple state
19 licenses due to the uncertainty of moving from state
20 to state.

21 Mr. LaFratte addressed increasing the presence of
22 veterans and military spouses on licensing boards to
23 reflect the licensee population by bringing in
24 different perspectives to allow for more inclusive
25 decision-making processes to help govern the

1 professions and remove the barriers for veterans.

2 Mr. LaFratte addressed licensure by examination
3 for veterans who have already performed the occupation
4 in the military but may not have the opportunity to
5 apply for a civilian license in the same field due to
6 overbearing licensure statutes requiring completion of
7 a civilian training program before they sit for an
8 examination. He noted competency-based skills and
9 knowledge assessments will give veterans an
10 opportunity to get back to work quickly and prove
11 their extensive training background and competency.

12 Mr. LaFratte addressed a policy recommendation to
13 work with education providers and the United States
14 Department of Defense to develop bridge programs to
15 fill gaps in training for returning veterans, so when
16 the overlaps exist between skill set in the military
17 occupations and those with comparable civilian
18 occupations, states should provide direction for
19 bridge training programs for veterans focusing on
20 gaps.

21 Mr. LaFratte addressed Arizona House Bill 2076
22 allowing veterans with a healthcare designation to
23 complete bridge coursework based on a gap analysis
24 published by the National Council of State Boards of
25 Nursing. He noted that, in order to identify the

1 bridge coursework, that a crosswalk was developed from
2 Gateway Community College's LPN curriculum, NCSBN's
3 gap analysis, and Arizona State Board of Nursing
4 rules. He commented that it resulted in a 12-credit
5 4-month course that prepares students to sit for the
6 National Council Licensure Examination (NCLEX) for
7 practical nurses.

8 Mr. LaFratte stated the Illinois Department of
9 Veterans Affairs developed a Corpsman to Practical
10 Nurse program, where service members with previous
11 healthcare training were eligible for the program to
12 become certified as an LPN.

13 Mr. LaFratte mentioned the United States
14 Department of Defense (DoD) launched a SkillBridge
15 program in 2014 that started to gain traction in
16 Pennsylvania and gives service members the opportunity
17 to gain work experience through specific industry
18 training, apprenticeships, or internships during the
19 last six months of military service. He noted service
20 members who participate in the SkillBridge program
21 will receive military compensation and benefits, where
22 all the industry partner or employer has to provide is
23 the training and work experience.

24 Mr. LaFratte provided resources, including the
25 Pennsylvania Veterans Registry in partnership with the

1 PA Department of Military and Veterans Affairs. He
2 noted valuable information on state benefit programs
3 and other services offered to veterans and military
4 spouses. He also noted the Department of State
5 professional licensing pages for the latest updates
6 and any new information related to professional
7 licensure in Pennsylvania. He provided a summary of
8 the survey questions and a list of the Department of
9 Defense SkillBridge participants.

10 Mr. LaFratte noted the link to the full report is
11 on the Department of State website under the
12 professional licensing pages.

13 Mr. Rouse noted there is some reference to
14 veterans in the Board's statute and referred to
15 Section 3(b) of the Barbers' License Law, where any
16 person who has been honorably discharged from service
17 with the armed forces of the United States and takes
18 an examination for licensure as a barber under the
19 provisions of this act shall have 10 per centum added
20 to his or her examination score.

21 Mr. Rouse also noted Section 3(b) states that any
22 person registered as an apprentice barber prior to
23 induction into the armed forces of the United States
24 may be admitted to an examination for licensure as a
25 barber under the provisions of this act upon

1 presentation of his or her certificate of honorable
2 discharge from such service within one year from date
3 thereof.

4 Chairman Muniz commented that the presentation
5 pertained more to active duty veterans and spouses to
6 make sure they are able to transfer to employment
7 easily with less fees.

8 Mr. Rouse also referred to Act 41 regarding
9 licensure by endorsement, where the Board made some
10 decisions about barbers and barber teachers to help
11 military and military spouses obtain a license within
12 the Commonwealth of Pennsylvania.

13 Kelly Kolling, Director of Operations, Barber
14 School of Pittsburgh, noted dealing with a number of
15 veterans but has yet to encounter any veterans that
16 have had previous military experience in barbering.
17 She mentioned having a lot of recent success with
18 their veterans and participating in a survey with all
19 of their veteran students to ensure they do not have
20 job-related skills that could be transferred over.

21 Mr. LaFratte also mentioned there are not a lot
22 of people who have military experience as a barber and
23 trying to get into the profession after the fact. He
24 also found that the Navy seems to be the only branch
25 to have a standard barbering position.

1 Ms. Kolling stated the institution also includes
2 the licensing fees in their tuition in a lump sum and
3 will make sure that does not get separated out just
4 for the GI Bill regulations and compliance.

5 Mr. Rouse thanked Mr. LaFratte for speaking to
6 the State Board of Barber Examiners and the work put
7 into the presentation.]

8

9 Report of Board Counsel (cont.)

10 [Ronald K. Rouse, Esquire, Board Counsel, referred to
11 House Bill 255 of 2020 (sic), noting it to be the
12 former bill, but amended the agenda to include House
13 Bill 1268 of 2021 regarding barber teachers, which is
14 the current bill on the same matter. He noted House
15 Bill 255 was referred to the House Professional
16 Licensure Committee in 2019; however, House Bill 1268
17 of 2021 was introduced on April 23, 2021, and referred
18 to the House Professional Licensure Committee.

19 Mr. Rouse explained that the purpose of House
20 Bill 1268 of 2021 is to amend the Barbers' License Law
21 to encourage people to apply and obtain a barber
22 teacher license. He referred to Section 3(d)(1) of
23 the Barbers' License Law. He noted House Bill 1268 of
24 2021 would amend the age of a barber teacher applicant
25 from age 23 to age 18. He also noted Section 3(d)(1)

1 would be amended to state that a person could apply
2 for a barber teacher license to take the exam if the
3 person has five years' experience as a licensed barber
4 in a licensed barber shop or shared shop or if the
5 person was trained for 500 hours under a licensed
6 barber teacher in a licensed barber or cosmetology
7 school as a teacher trainee.

8 Mr. Rouse noted it to be different from the
9 current Barbers' License Law, where an applicant could
10 be a barber manager who trained 1250 hours as a
11 teacher trainee by a licensed teacher in licensed
12 barber school. He mentioned that, with the amendment,
13 the 500 hours as a licensed teacher trainee would be
14 in addition to the hours necessary to qualify for a
15 license to practice barbering.

16 Mr. Rouse commented that the additional 500 hours
17 as a barber teacher trainee would be training that is
18 limited to teaching methods and would not need to
19 specifically be related to barbering, so they would be
20 basically training you how to teach.

21 Mr. Rouse addressed another amendment in Section
22 3(d)(2), which states that at the end of the biennial
23 renewal period following the effective date of this
24 paragraph, a barber manager licensee who has a minimum
25 of three years' experience as a barber manager as of

1 January 1, 2020, and has no record of disciplinary
2 action may opt to become a barber teacher without
3 meeting the training or examination requirements to
4 the Barbers' License Law.

5 Mr. Rouse commented that Section 3.2(b) would
6 also be amended, where an individual with both a
7 barber and cosmetology license may obtain a barber
8 teacher license if they complete the training and
9 examination required for licensure as either a barber
10 teacher or a cosmetology teacher.

11 Mr. Rouse noted Section 4(a) would be amended to
12 state that someone with a barber teacher license from
13 another jurisdiction can obtain a Pennsylvania license
14 without examination by reciprocity or obtain a
15 Pennsylvania license by examination by taking an
16 endorsement examination as a barber teacher.

17 Mr. Rouse noted Section 13(a) would be amended to
18 state that a nonlicensed person may shampoo hair under
19 the supervision of a barber manager or a barber
20 teacher.

21 Mr. Rouse noted Section 13.1 would be amended to
22 state that a person with a temporary permit may
23 practice under the supervision of a barber manager or
24 a barber teacher.

25 Chairman Muniz stated the amendments were

1 presented but not approved, and it was the Board's job
2 to be aware of changes that can affect the profession.

3 Mr. Rouse further explained the amendments, where
4 an individual would not need to have a barber manager
5 license to be a barber teacher. He stated an
6 individual would need a barber's license and need to
7 take that additional 500 hours of training under a
8 licensed barber teacher school or cosmetology school
9 to learn how to teach.

10 Mr. Rouse noted two ways to currently be a barber
11 teacher, one is without the barber manager license and
12 one is with the barber manager license. He noted the
13 amendment, where basically both routes would be that
14 an individual would not need a barber manager license.

15 Chairman Muniz addressed the importance of
16 experience when getting a barber teacher's license.
17 He noted going from 1250 hours to 500 hours will teach
18 an individual how to teach but mentioned the
19 importance of barbering being a craft.

20 Mr. Edsall commented that he owned a barber
21 school and worked with the Department of Corrections,
22 administering at two different locations, and opposed
23 the changes. He stated the current laws were adequate
24 and noted the importance of schools educating students
25 with a quality base of teachers.

1 Mr. Edsall stated the five years of barbering
2 experience was very important in getting a teacher's
3 license. He commented that an individual would not
4 have the barbering experience or the professional
5 experience to be an adequate teacher at 18 years of
6 age. He desired to see more licensed teachers but did
7 not think cutting the experience and the age and
8 amount of training hours would get the needed results.

9 Ms. Kolling also addressed the need for teachers
10 and instructors and questioned whether something could
11 be collectively proposed that is feasible and
12 preserves the craft to increase quality teachers. She
13 also does not agree with individuals coming out of
14 cosmetology school and taking 500 hours in teaching
15 and then teaching barbering. She also agrees that
16 someone who is 18 years old cannot effectively teach.

17 Chairman Muniz stated the current laws had been
18 in place for a long time, noting the five years'
19 experience and 1250 hours of teaching were easy and
20 fair and gives the barber time to get to where he
21 needs to be in order to teach properly.

22 Ms. Kolling commented that some students finish
23 the program, fully want to teach, and have a lot of
24 life experience when it comes to the management
25 aspect. She stated it is not up to the institutions

1 to preserve their quality of instructors and believes
2 a pretty high bar is set and is requesting
3 modifications.

4 Chairman Muniz did not agree with individuals
5 applying for their teacher's license without the
6 examination, noting the importance of holding future
7 teachers accountable for knowing what is required of
8 them.

9 Commissioner Johnson commented that the purpose
10 for the bill may have been to create opportunities for
11 barber teachers because of the perception that
12 eligibility requirements are stifling entry, but that
13 is not the issue. When hearing from the Board and
14 stakeholders, it is an incentivization issue.

15 Ms. Kolling believed it to be a Department of
16 Corrections issue.

17 Mr. Edsall mentioned that he worked for the
18 Department of Corrections and did not want to speak
19 for them but that they do not have a teacher's
20 program, and he did not know how that would benefit
21 the Department of Corrections to make the training
22 shorter and younger.

23 Mr. Edsall stated the problem with the Department
24 of Corrections was many of their jails are in remote
25 areas and not everybody wants to teach there. He did

1 not think this bill would help and was going in the
2 wrong direction.

3 Chairman Muniz mentioned the importance of not
4 looking at the teacher's license as being an issue and
5 looking at the barber licensing. He noted the bill is
6 making it easier for people to get their teacher's
7 license but individuals should gain the experience and
8 earn it.

9 Mr. Edsall commented that making it an easier
10 process does not help and actually hurts the industry.

11 Ms. Kolling stated she has been running her
12 school for six years and opened a second school and is
13 focusing on individuals who are serious about the
14 profession and follow through on licensure. She noted
15 the importance of cracking down on shops allowing
16 individuals to work unlicensed, which would increase
17 licensure. She also mentioned shops that are falsely
18 advertising as barber shops but are not and allowing
19 people to work unlicensed.

20 Commissioner Johnson emphasized the importance of
21 protecting the public and the obligation to provide
22 that information to the compliance office. He
23 mentioned the issue to be getting numbers up overall
24 and more people in the profession, where there would
25 be a more likelihood to find someone interested in

1 teaching.

2 Commissioner Johnson referred to Act 41 of 2019
3 and Act 53 of 2020 that make it much easier for
4 individuals from other places to get established in
5 Pennsylvania that are already licensed and encourages
6 individuals to come to the Commonwealth of
7 Pennsylvania who already have the experience and
8 requirements.

9 Commissioner Johnson commented that maybe it is
10 too early for a bill like this to pick up steam and
11 apply a solution in search of a problem and may be a
12 discussion with the co-sponsor or at the
13 administrative level, if necessary. He mentioned the
14 importance of relying on stakeholders during open
15 discussions on the record to provide information and
16 educate colleagues on bills like this, where we are
17 encouraging more teachers but it may not necessarily
18 benefit public protection.

19 Commissioner Johnson thanked everybody for
20 engaging in the discussion for public record and
21 educating him personally.

22 Chairman Muniz mentioned being glad to be part of
23 the discussion and know that fellow professional
24 members are on the same page, noting the importance of
25 being aware of these things and have a say before the

1 bill passes through and has an effect on the
2 profession.

3 Ms. Kolling stated she has reached out to schools
4 in the past and has been an advocate to quash the
5 similar bill in the past, getting petitions and having
6 meetings with the executive director of professional
7 occupational departments, and questioned whether the
8 Board is able to get this quashed without those steps
9 and if stakeholders could provide assistance.

10 Commissioner Johnson stated taking comments made
11 on the record back to the policy and legislative
12 offices, to the sponsors of the bill, would be helpful
13 and encouraged stakeholders to engage elected
14 officials in their capacity as well and let their
15 voices be heard.

16 Chairman Muniz noted the importance of being
17 aware of these issues and being able to react quickly,
18 like Ms. Kolling's approach of getting hold of her
19 senators.

20 Commissioner Johnson informed that Board that he
21 and Mr. Rouse can work through the Office of
22 Legislative Affairs to reach out to sponsors and
23 communicate concerns through the executive directors
24 in the House and Senate.

25 Mr. Rouse noted the importance of keeping the

1 Board aware of where the bill is and possibly bring it
2 up at the next Board meeting as well.

3 Mr. Rouse referred to House Bill 1182 of 2021
4 regarding distance education, which was referred to
5 the House Professional Licensure Committee on April
6 15, 2021. He noted the bill passed after third
7 consideration on June 15, 2021, and was referred to
8 the Senate Consumer Protection & Professional
9 Licensure Committee. He noted the bill would amend
10 Section 3(a) of the Barbers' License Law regarding
11 distance education.

12 Mr. Rouse stated the amendment would allow a
13 licensed barber school to offer up to 50 per centum of
14 the school's curriculum through distance education.
15 He stated a student at a licensed barber school may
16 only earn barbering study and training hours through
17 distance education for theory-based subjects and not
18 practical demonstrations through distance education.

19 Mr. Rouse questioned how the Board feels about
20 distance education for barber schools up to 50 percent
21 of the school's curriculum. He noted prior
22 discussions about the waiver beginning on June 29,
23 2020, where one of the considerations was the fact
24 that that National Accrediting Commission of Career
25 Arts & Sciences (NACCAS) was approving 50 percent of

1 distance education for curriculum.

2 Ms. Kolling stated NACCAS approved 50 percent
3 permanent since then unless a state otherwise allots
4 more but would require proof of allowing more, noting
5 many schools have moved toward a permanent distance
6 education for a portion of education through NACCAS.

7 Mr. Rouse addressed the importance of
8 accreditation for some schools and questioned whether
9 it is a fact that accreditation helps students qualify
10 for financial aid.

11 Ms. Kolling stated accreditation does help
12 students qualify for financial aid and also helps to
13 substantiate legitimacy of programs.

14 Chairman Muniz mentioned the importance of
15 schools having a big responsibility in making sure
16 students are actually receiving the required
17 education. He commented that he is not opposed to
18 virtual theory, but an individual would not gain the
19 necessary experience if it was practical.

20 Ms. Kolling addressed asynchronous versus
21 synchronous delivery. She stated asynchronous is
22 where students have the availability of completing the
23 task work at their own will within a given range, and
24 synchronous is actually having an instructor in front
25 of the students virtually. She mentioned trying

1 asynchronous with a night class and found it more
2 difficult to prove that the student actually spent the
3 required amount of hours necessary to become
4 efficiently licensed because they have to complete the
5 1250 hours. She recommended mandating synchronous if
6 it were her choice.

7 Mr. Rouse commented that the Barbers' License Law
8 is clear, where at least 1250 hours of training is
9 required, and it would be difficult to attest to the
10 fact that someone completed those hours if it is
11 asynchronous, especially with the fact that someone is
12 going to have to sign a notarized statement saying the
13 applicant did complete those hours.

14 Chairman Muniz agreed, noting that synchronous is
15 pretty much live, where an individual needs to be in
16 attendance, rather than asynchronous, where somebody
17 is just completing work and would have to be more
18 specified within the law.

19 Commissioner Johnson stated maintaining some
20 level of accountability for asynchronous was nearly
21 impossible compared to the synchronous portion. He
22 mentioned the importance of clearly defining
23 asynchronous versus synchronous and providing some
24 level of discretion for the course providers to
25 determine if they would have some type of

1 accountability component.

2 Chairman Muniz commented that synchronous will be
3 the verbiage that will need to be added, and it is the
4 school's responsibility to make sure students are
5 doing what they need to do and also what the Board
6 allows. He mentioned the importance of teachers and
7 school owners doing their part.

8 Mr. Edsall commented that 50 percent of the
9 school's curriculum can be done with distance
10 education, but 50 percent of the curriculum is not
11 theory and probably about 25 or 30 percent of the
12 total amount of hours.

13 Ms. Kolling noted that the original law was 40/60
14 and there could be modification, agreeing that 50
15 percent for the program is probably a little
16 excessive.

17 Chairman Muniz appreciated the different point of
18 view, noting 50 percent may be too much and 40 percent
19 is the way to go.

20 Mr. Rouse reiterated that about 30-40 percent of
21 the curriculum would be theory, recognizing that the
22 house bill says up to 50 and requires theory-based
23 courses, emphasizing on the language in terms of the
24 up to language and then requiring the theory.

25 Chairman Muniz mentioned the importance of having

1 a set number because licensed barber schools may take
2 advantage of the percentage.

3 Ms. Kolling commented that it was easier for
4 NACCAS to draw the line at 50 percent across the board
5 because they deal with schools nationally and each
6 school has a different requirement. She explained
7 that NACCAS already offered the distance education
8 option to schools but when it became a broad-spectrum
9 issue, they approved it across their whole
10 organization for all states. She noted some states'
11 emergency act enacted the permanent distance
12 education, where Pennsylvania just did temporary.

13 Chairman Muniz commented that having two
14 experienced Pennsylvania school owners saying 50
15 percent is too much should be taken into
16 consideration.

17 Chairman Muniz mentioned working with Mr. Rouse
18 on a breakdown of distance education for COVID and
19 could maybe do that again and have discussion to
20 thoroughly look at that at the next meeting rather
21 than make a quick decision.

22 Mr. Rouse questioned whether the apprentice
23 program was left out of this because it is hands on.

24 Chairman Muniz stated the apprentice program must
25 be within the barber shop by law.

1 Mr. Rouse also questioned the crossover programs
2 in a barber school.

3 Chairman Muniz explained that crossover programs
4 are less hours. He stated they are less than 695
5 hours and need to remain hands on and in the school
6 also unless there is a breakdown of the theory within
7 that crossover program, which might be 150 hours.

8 Mr. Edsall commented that whatever the proper
9 percentage is going to be will be the same percentage
10 for the crossover program because it gives credit for
11 something already studied, noting 695 hours is only a
12 portion of the curriculum of the whole barber program.

13 Mr. Rouse mentioned he will continue to track the
14 bill and provide a status report. He explained that
15 the bill is the same in terms of how the Board's role
16 is an adjudicatory role. He noted the Board would
17 need to draft regulations if the bill became an act,
18 where it was signed by the Governor.]

19 ***

20 Report of Commissioner

21 [K. Kalonji Johnson, Commissioner, Bureau of
22 Professional and Occupational Affairs, also welcomed
23 Mr. Edsall and noted being excited by the experience
24 and world view he brings to the Board makeup.

25 Commissioner Johnson also thanked Mr. Jaram for

1 his service to the Board as well.

2 Commissioner Johnson addressed the current state
3 of affairs concerning waivers. He mentioned being
4 engaged with the general assembly to identify waivers
5 that were beneficial and available information to make
6 decisions about legislative amendments that need to be
7 made regarding practitioners and licensees before
8 October 1. He noted the importance of stakeholders
9 helping to guide the individuals in the committees and
10 legislators through that process.

11 Commissioner Johnson noted overwhelming response
12 with regard to positive feedback from Board members
13 and members of the public and stakeholders who
14 appreciated the virtual platform. He addressed
15 transitioning and figuring out what the return to
16 normal operations would look like and incorporating as
17 much of the technology as possible into the new
18 normal. He stated the Board will be informed as
19 things develop.]

20 ***

21 Report of Board Chair

22 [Dominic A. Muniz, Chairman, Professional Member,
23 requested clarification regarding the travel ban,
24 noting the upcoming National Association of Barber
25 Boards of America (NABBA) Conference September 19-23,

1 2021, in Arlington, VA.

2 Commissioner Johnson addressed physical travel
3 requests, noting physical travel is considered up to
4 the pre-COVID number of one or two members with the
5 rest of the Board having the option of attending
6 virtually. He encouraged requests be submitted as
7 soon as possible for approval from the Governor's
8 Office.]

9 MR. ROUSE:

10 I believe there is a motion for Chairman
11 Muniz and Burr Edsall to attend the NABA
12 Conference in Arlington, Virginia,
13 September 19-23, 2021, subject to the
14 Governor's approval of travel.

15 Is there such a motion?

16 MR. GRAY:

17 Motion.

18 MR. ROUSE:

19 Is there a second?

20 COMMISSIONER JOHNSON:

21 Second.

22 MR. ROUSE:

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

25 [The motion carried unanimously.]

1

2 COMMISSIONER JOHNSON:

3

I would move that we allow for virtual participation for all members of the Board who are interested.

4

5

6 MR. ROUSE:

7

Is there a second?

8

CHAIRMAN MUNIZ:

9

Second.

10 MR. ROUSE:

11

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

12

13 [The motion carried unanimously.]

14

15 Report of Board Administrator - No Report

16

17 Exam Statistical Reports

18

[Dominic A. Muniz, Chairman, Professional Member,

19

referred to exam statistics from April 19, 2021 to

20

June 8, 2021, for the Board's review.

21

Chairman Muniz noted 52 individuals took the PA

22

Barber exam with a pass rate of 79% and 20 repeaters

23

with a 35% pass rate, giving a 67% pass rate for

24

first-time takers and repeaters; 17 took the PA Barber

25

Manager exam, 11 passed and 6 failed. He noted 2 PA

1 Barber Teacher, 2 PA Barber Endorsement, 2 PA Barber
2 Veteran, and 3 PA Barber Teacher Practical exams at
3 100% pass rate with 2 PA Barber Practical at a 93%
4 pass rate.]

5 ***

6 Miscellaneous

7 [Dominic A. Muniz, Chairman, Professional Member,
8 noted the next scheduled Board meeting date is August
9 23, 2021. He mentioned term limits were discussed
10 earlier.]

11 ***

12 Adjournment

13 MR. ROUSE:

14 Is there a motion to adjourn?

15 MR. GRAY:

16 Motion.

17 MR. ROUSE:

18 Is there a second?

19 COMMISSIONER JOHNSON:

20 Second.

21 MR. ROUSE:

22 All those in favor, say aye.

23 [The motion carried unanimously.]

24 ***

25 [There being no further business, the State Board of

1 Barber Examiners Meeting adjourned at 1:24 p.m.]

2 ***

3

4

5 CERTIFICATE

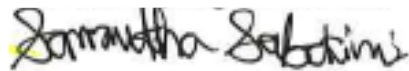
6

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

13

14

15



16

Samantha Sabatini,

17

Minute Clerk

18

Sargent's Court Reporting

19

Service, Inc.

20

21

22

23

24

25

26

STATE BOARD OF BARBER EXAMINERS
REFERENCE INDEX

June 21, 2021

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8		
9	9:00	Executive Session
10	10:30	Return to Open Session
11		
12	10:313	Official Call to Order
13		
14	10:32	Pledge of Allegiance
15		
16	10:32	Roll Call
17		
18	10:33	Introduction of Guests
19		
20	10:36	Approval of Minutes
21		
22	10:40	Report of Prosecutorial Division
23		
24	10:41	Appointment - Jennifer Bersch, Program Manager, Pearson VUE
25		
26		
27	10:54	Report of Board Counsel
28		
29	10:57	Appointment - Andrew LaFratte, MPA, Executive Policy Specialist - Veterans' Licensure Survey Report
30		
31		
32		
33	11:47	Report of Board Counsel (cont.)
34		
35	1:02	Report of Commissioner
36		
37	1:07	Report of Board Chair
38		
39	1:19	Exam Statistical Reports
40		
41	1:23	Miscellaneous
42		
43	1:24	Adjournment
44		
45		
46		
47		
48		
49		
50		