



**MINUTES FOR THE
ARIZONA BOARD OF BARBERS
November 14, 2016**

1. Call to Order

- 2. Roll Call--** Roll was called with all members present. Also present were Frankie Eckberg, Assistant Attorney General; Sam Barcelona, Executive Director; Joyce Voss, Assistant Director, Boaz Alvarado, Administrative Assistant III and Mary Jane Jones, Administrative Assistant II. Steve Sandler acted as Chairman in the absence of Gary Roberts.

Present:	Steve Sandler	Ron Thomas
	Marshall Knox	John Lewis
Absent:	Gary Roberts	

3. Declaration of Conflicts of Interest Recusal -- A.R.S. § 38-503 – none

- 4. Review, Discussion and Approval of Board Meeting Minutes for September 12, 2016 meeting.** Gary Roberts thanked Steve Sandler for acting as the Chair at the last meeting. Ron Thomas moved to approve the minutes. John Lewis seconded the motion; motion passed unanimously.

- 5. Call to the Public --** Soyika White talked to the Board about transferring 381 hours of barbering training in Texas to a school in Arizona on the basis of reciprocity. Mr Sandler reminded the Board they could not discuss this matter today. Frankie Eckberg would get together with Staff and then get back with Mr White with a decision after examining the facts and the laws of reciprocity.

6. Review, Discussion and Possible Action on Formal Hearings.

a.	Case No:	2015-062	Inspection Report No.	26157 on 8/7/14
	Licensee:	Gerardo Magdalena	License No(s):	1489&1129- E
	Possible Violation(s): By Sam Barcelona Staff Report	For Barber License No. 1489--tools left out; For Establishment License No. 119-E--dirty sinks and overall condition of shop Consent Agreement signed 1-12-2016. \$200 civil penalty was due 3-17-2016. Complaint and Notice of Hearing Notice was delivered and accepted 9-16-2016 at the home address and on 9-17-2016 at the shop address. Ms Eckberg accepted a signed Consent Agreement on 10-17-2016 and the civil penalty is due 12-16-2016.		

b.	Case No:	2016-064	Inspection Report No.	27928 on 5/20/15
	Licensee:	Gerardo Magdalena	License No(s):	1489 & 1129-E
	Possible Violation(s): By Sam Barcelona	For Barber License No. 1489 license not posted, inadequate dip sanitizer and dirty neck duster For Establishment License No. 1129-E dirty neck duster		
	Staff Report	Consent Agreement signed 1-12-2016. \$410 civil penalty was due 3-17-2016. Complaint and Notice of Hearing was delivered and accepted 9-16-2016 at the home address and at the shop address. Ms Eckberg accepted a signed Consent Agreement on 10-17-2016 and the civil penalty is due 12-16-2016.		

Ms Eckberg met with the Respondent and he accepted the consent agreements. She formally moved the Board to continue these two actions until the January meeting unless he pays the civil penalties for these two agreements. Ms Eckberg said she made it clear to Mr Magdalena that the Board would not tolerate any more ignorance of the Board’s findings. Mr Sandler moved to accept Ms Eckberg request for a continuance of Case No. 2015-062. Marshall Knox seconded the motion; motion passed unanimously. . Mr Sandler moved to accept Ms Eckberg request for a continuance of Case No. 2016-064. Mr Thomas seconded the motion; motion passed unanimously.

7. Review, Discussion and Possible Action on Informal Interviews.

None

8. Consent Agenda for the Review, Discussion and Possible Action on Investigative Reports: Cases recommended for disciplinary consent agreements.

a.	Case No:	2016-011	Inspection Report No.	30097 on 10/9/16
	Licensee:	Gerardo Magdalena	License No(s):	1489&1129-E
	Possible Violation(s): By Sam Barcelona	For Barber License No. 1489—license not posted; For Establishment License No. 0129-E—unlicensed barber		
	Staff Report	Consent Agreement for Barber License No. 4816 with a \$100 civil penalty for not posting a license and a \$160 civil penalty for working with a lapsed license and for Establishment License No. 1129-E a \$500 civil penalty for an unlicense barber for a total of a \$760 civil penalty.		

Mr Sandler moved to send a consent agreement. Mr Thomas seconded the motion; motion passed unanimously.

9. Report from the Assistant Attorney General – the Board may review and discuss the listed items:

None

10. Report from the Executive Director – the Board may review and discuss the listed items:

- a. Website reviewed – We are working on getting more training so we can enter data ourselves. Database issues are in the hands of the IT Department of the Department of Administration. They are also working on the process of accepting electronic payments.
- b. Results from the changes in the state barber examinations for the last two months – At our last examination for barber students we had 34 out of 54 applicants fail the test. The test before that had 40 out of 60 applicants fail. There was a discussion of breaking down the figures by school. Ms Eckberg did not feel this data should be on the website but could be made available to the individual school. Mr Sandler felt this data would be beneficial to potential students. Ms Eckberg said the school would have to release that information to potential students. Mr Lewis would like to see something about these rates at the next meeting. The Staff will put together the data for the last three exams, limiting the examinees to only the first time examinees. Later in the meeting during the discussion of No. C below, Ms Eckberg said the statutes do not have anything about the school's responsibility for their student to pass our examination but it does indicate that the school has a responsibility to show that their students are passing at every level of barber school.
- c. Proposal for consideration regarding the examinations -- Sam Barcelona said that the experiment at having one exam every two months did not work well. This year we are going to try having one exam every month. We are requesting a complete folder from each student at the time of enrollment. If it is not available, the school will have 90 days to get that information. We will be adding a mock chemical applicant to the examination. At the beginning of an examination, we will be checking the applicant's hands because this is a part of sanitation procedures. Some of the Board members were interested in seeing an examination. Ms Eckberg said a bank of questions might be possible but it is also a conflict of interest.
- d. Building move 1740 W Adams update – the moving date seems to have been moved back to December, 2017.
- e. Consolidation of 90/10 Boards update
- f. School deficiencies as it relates to student hours -- Staff has discovered that the schools are not consistent in how to determine a student's hours. Some of the schools goes past the 8 hour day because a student started a procedure before the 8 hours had occurred and the school gives them the extra time (resulting in a 9 hour day, etc.). Mr Roberts enquired if the Board could discipline a school. Ms Eckberg said the Board had the right to discipline schools. The Staff is to develop a list of possible violations and possible civil penalties for the Board to review.

11. **Discussion of items to be placed on a future meeting agenda. The following items will be placed on the next agenda:**
 - a. Result of Soyika White’s request for reciprocity of barbers hours acquired from a school
 - b. Summary of the last 3 exams in terms of numbers passed listed by school
 - c. Proposed list of school violations and civil penalties
 - d. Look into updating the Inspection Sheet -- bring samples of existing inspection sheets to the next Board meeting

12. **Discussion of Future Meeting Dates – January 30, 2017**

13. **Motion to Adjourn** – Mr Roberts moved to adjourn. Mr Lewis seconded the motion; motion passed unanimously at 10:56 am.

November 14, 2016

Gary Roberts, Chairman

Mary Jane Jones, Secretary