

IOWA BOARD OF BARBERING

April 29, 2014

Lucas State Office Building, 3rd Floor Conference Room #320

Des Moines, Iowa

Open Session Meeting Minutes

Call to Order:

The meeting was called to order at 9:00 a.m. by Chairperson Chuck Wubbena.

Roll Call:

MEMBERS PRESENT:

Dennis Rafdal, Licensed Barber
Gwen Ecklund, Public Member
Chuck Wubbena, Licensed Barber
John Anderson, Public Member
Valerie Felton, Licensed Barber

STAFF PRESENT:

Susan Reynolds, Board Executive
Dave Van Compernelle, AAG
Barb Huey, Bureau Chief
Barb Christiansen, Administrative Assistant
Marvin Firch, Outreach & Education Coordinator

PUBLIC PRESENT:

Terry Millis, American College of Hairstyling
Janet Millis
Sam Clay, Professional Barber
Deb McFarland, College of Hair Design, Waterloo
Joe Squires, College of Hair Design, Waterloo

Introductions:

Review Agenda:

Approval of Open Session Meeting Minutes:

A motion was made by Rafdal to approve the open session meeting minutes of January 28, 2014. A second was received from Ecklund. All ayes, opposed none, motion carried.

Public Comment:

No public comment.

Reports:

Wubbena reported on the NABBA meeting that he attended in February. He would like Iowa to host the 2016 NABBA meeting. He has talked to representatives of the Des Moines Convention and Visitors Bureau for guidance in making a bid on the conference.

Wubbena also reported on establishing a scholarship fund for barber students in Iowa. The idea would involve selling challenge coins and allocating a portion of the proceeds into a scholarship fund. Wubbena asked AAG Van Compernelle to research how the board could retain the funds raised from the sale of the challenge coins for this purpose.

AAG: No report.

Board Executive: The board executive announced this is the last meeting for Dennis Rafdal and thanked him for his service to the board. Robert Gray has been appointed to replace Rafdal.

Bureau Chief: Barb Huey announced that the conference room on 5th floor is being expanded by seven feet. A mailing will be sent to licensees with instructions and information regarding the new AMANDA system.

Legislative update: The language in code on shop inspections has been changed from "shall" to "may." The legislation is at the Governor's office for signature.

Applications and Waivers:

Marcus Devon Duke – Reactivation request: Duke is on criminal probation until June 2017. He is current with his continuing education.

A motion was made by Rafdal to approve the reactivation under consent order to include: license will be on probation running concurrently with his criminal probation

time period. A second was received from Felton. All ayes, opposed none, motion carried.

Priest Wilson – Reinstatement of practitioner and shop licenses: Wilson plans to open a new shop in Fort Dodge at a different location. He has met all of the provisions of the decision and order. Board members will approve contingent on the shop passing an inspection.

A motion was made by Anderson to approve reinstatement of licensure. The new shop license is approved contingent on passing an inspection. A second was received from Ecklund. All ayes, opposed none, motion carried.

Petition For Waiver 645--21.2(3)(c) and (d) Requirements for an instructor's license; submitted by Miguel Rosas, Moline, IL: Applicant requested a waiver of administrative rule paragraphs c and d of instructor requirements. He has been licensed in Illinois since 2006, owns his own shop and employs six individuals. Rosas has mentored students at La'James, Capri, and Paul Mitchell. Applicant seeks a waiver to open a barber school in Davenport. Board members voiced concerns the applicant has not passed the instructor's examination.

A motion was made by Rafdal to deny the request for waiver. A second was received from Anderson. All ayes, opposed none, motion carried.

New Business:

Continuing Education Discussion - Reynolds gave an update of the meeting held with Senator Breitbach. The senator had several questions regarding Iowa's continuing education requirements for barbers. Rafdal said that Senator Breitbach was adamant about addressing these questions.

Do all states require continuing education? Wubbena said that at the last four national conferences he attended, Iowa was the only state represented that required continuing education. The National Association of Barber Boards of America (NABBA) has added continuing education in their by-laws to endorse continuing education programs.

Do all states have the same continuing education requirements for cosmetologists as they do for barbers? No, they don't. The barber board originally went from 16 hours, 8 hours every year, to 8 hours every biennium.

If barbers do not provide colors or perms, should they be required to have the same continuing education requirements? Yes, because the idea behind continuing education was to save the barber licenses in the 70's. At that time there was a need to provide continuing education to barbers because of the popularity of long-hair. Because barbers were not trained to cut and style long hair, they began to lose customers to cosmetologists. Manufacturers of hair care products began to offer educational training. When the HIV epidemic began, the profession sought out representatives from the county health departments to provide continuing education on HIV. Today, we have MRSA which is a bigger health problem than HIV.

Who is allowed to teach continuing requirements? When we started continuing education, every organization had to present criteria on their presentators. Currently, the board does not pre-approve continuing education providers.

Why can't barbers do a certain amount of on-line continuing education? If barbers are allowed to do on-line education, where do we send the licensees to get the appropriate education. Does the board want prior knowledge of what the providers are presenting to the licensees. The board will review continuing education requirements for cosmetologists and begin the process of changing barber rules.

Why can't barbers take continuing education out-of-state? Barbers in the state of Iowa should follow state regulations. The board needs to be secure the training and information is accurate and relevant to our state.

Gwen Ecklund commented that the questions from Senator Breitbach are good but the board has answers. John Anderson said his profession in the insurance industry, requires continuing education. He felt it would be wise to accept out-of-state continuing education particularly for those licensees who live close to bordering states where there is cross-over, He also liked the idea of on-line capabilities for a certain amount of hours. The board may need to develop a curriculum for on-line providers to follow.

Barb Huey said the discussion needs to be geared toward how much continuing education is required. If 75 percent of the states do not offer continuing education, what does Iowa want for this state – sanitation, laws and rules. Is eight hours of continuing education necessary. New legislation could eliminate all continuing education.

Deborah Thompson said what Senator Breitbach needs is compelling reasons for the additional hours. Denny Rafdal did a good job of defending the sanitation. But in the short-term, she suggested the board executive draft a letter filling in the details for the decisions made in the past. Her notes from the meeting indicated Senator Breitbach was looking at exemptions if all the licensee does is cut hair. In short-term and in preparation for the next legislative session put down thoughts to defend why the continuing education is relevant for today's barbers. The Board needs to take the opportunity to educate the senator about the profession. Present evidence of why other states are moving toward your model instead of away from it. Need solid talking points on the industry standards.

Chuck Wubbena said the reason for the continuing education is that it gives the public knowledge and confidence that barbers are regulated.

John Anderson commented that typically in his three years with the board it seems whenever there is push back on continuing education, it is due to access—having trouble getting to class. If we start providing on-line and other educational opportunities, we can reduce those people who get a legislative ear because we are making it easier for them to meet the requirements. The pushback comes from getting those hours in without a disruption to the business.

Valerie Felton said there are many classes scheduled throughout the year that makes it convenient to obtain continuing education. But the education needs to be consistent so barbers are hearing the same information. The board also expressed that face-to-face learning is important. Visualization helps licensees grasp information better. All instructors need to have the most current information.

Deb McFarland presented information on a basic barber hairstyling curriculum. The program would consist of 1,700 hours that are tailored for those individuals who are only interested in cutting hair. McFarland feels there is definitely a need for this type of course. She estimates that 90% of men who come to the school only want to cut hair. This program would not affect taking the exams. The exam would be tailored to the basic barber curriculum. Copies of the curriculum were distributed to the members for review. The change would dictate two different licenses such as barber and barber stylist. This licensure type would require a code change to be implemented. There are

five states that offer a barber license with no chemical processing. States that offer this curriculum have been asked to send their laws and rules to the board office.

The board recommends a more in-depth review of our laws and rules and school requirements. Susan will hopefully have more information from the other states at the next meeting.

Inspection Assignments:

Since Tammy Ortiz is already doing a monthly monitoring inspection at American College in Des Moines, she will also do the annual inspection. Wubbena will do the inspections at Cedar Rapids and Waterloo.

NIC Certification Training – The new practical examination will be available after July 1, 2014. Marvin Firch said two board members can handle the next exam. Contact will be made with Michael Hill of NIC to schedule the practical examination training. Wubbena said he would like to have a Sunday, Monday, Tuesday schedule if possible. Training could be done in Waterloo at the barber school. Firch will check into using former board members to fill in at exams.

The board took a break at 10:55 a.m.

Old Business:

Demonstrator Permits: When providing continuing education a demonstrator's permit is not required.

Closed Session:

Rafdal moved the board go into closed session at 11:01 a.m. to discuss whether to initiate licensee disciplinary investigations or proceedings as allowed under Iowa Code section 21.5(1)d and to discuss records that are required to be kept confidential as allowed under Iowa Code section 21.5(1)(a). A second was received from Ecklund. Roll call was taken.

Wubbena - aye

Rafdal - aye

Anderson - aye

Ecklund - aye

Felton - aye

Motion carried.

The Board returned to open session at 11:34 a.m.

Follow up from Closed Session:

A motion was made by Anderson to draft a Statement of Charges for cases #14-0031 and 14-0035 as discussed in closed session. A second was received from Felton. All ayes, opposed none, motion carried.

A motion was made by Ecklund to approve the closed session meeting minutes of January 28, 2014. A second was received from Rafdal. All ayes, opposed none, motion carried.

2014 Board Meetings:

Next board meetings will be July 29, and October 28, 2014.

Adjournment:

A motion was made by Rafdal to adjourn the meeting at 11:35 a.m. A second was received from Felton. All ayes, opposed none, motion carried.