

**REGULAR MONTHLY MEETING
BOARD OF COSMETOLOGY AND HAIRSTYLING
124 HALSEY STREET - 6TH FLOOR
NEWARK, NEW JERSEY 07102
MARCH 14, 2006**

The regular monthly meeting of the Board of Cosmetology and Hairstyling was called to order at 9:30 a.m.

ROLL CALL:

Ms. Janice Alvarez, Mr. Ronald Brown, Mr. Jack A. Fornaro, Mr. Christian R. Jones, Mr. Carlo Melini, Mr. Anthony T. Monaco, Ms. Denise Perea, Mr. Joseph Santagata, Mr. Jerry Speziale, Mr. Jay Malanga, Assistant Executive Director, Mrs. Barbara Ambroise, Program Development Assistant and Ms. Marie Maiorano, Office Supervisor were present. Ms. Elaine C. Haroldson, Ms. Ann Marie Manahan and Mr. Richard G. Griswold, Executive Director were absent.

Mr. Carlo Melini announced that the time, date and location of the meeting was listed in the Annual Notice Schedule. The Annual Notice Schedule was mailed to Ms. Regina L. Thomas, Secretary of State and the Newark Star-Ledger and Trentonian Newspapers on December 15, 2005 and was posted in the Office of the Board of Cosmetology and Hairstyling on December 15, 2005.

Mr. Carlo Melini called the meeting to order and asked that everyone turn off their cell phones unless they have a pending emergency and may need to be reached.

Mr. Jay Malanga stated that he had visited with Mr. Richard G. Griswold over the weekend and that he actually brought him some work from the office to give him some incentive. He stated that he sat with him for a couple of hours and Mr. Griswold gave him some notes on things he had questions on. He indicated that Mr. Griswold addressed most of everything he brought down there. He also stated that, from a personal side, Mr. Griswold has a heart as big as this room and that he had never met an administrator in all the years he has been with the Board as affective as he is. He stated that he can now appreciate what Mr. Griswold did because of seeing the amount of work that has flowed through his office the past week and a half. He requested all Board Members to say a few prayers for Mr. Griswold, that he may put his cancer in remission and that he will return to the office in the near future. He assured the Board that with the assistance of Grace, Yoli, Barbara and Marie, the Board Office has remained current on all matters. He also assured the members that the Board's business is being handled appropriately and thanked the Board for their cooperation and assistance. He introduced William Mandeville who is the Board's Managing Executive Director and noted that Mr. Mandeville's help has been invaluable and the Board's business is being conducted without any deficiency. He also thanked Jonathan Eisenmenger who has also been of great assistance and understands he did an excellent job at the last meeting.

Mr. Carlo Melini opened the public participation portion of the meeting and introduced Darlene Fox from Artistic Academy to the Board.

Ms. Darlene Fox thanked the Board for allowing her to speak and asked that Mr. Malanga give Mr. Griswold her best wishes. She indicated that in knowing and speaking with Mr. Griswold for fifteen years, he is a wonderful individual and she wished him a speedy recovery. She introduced herself to the Board and stated that she is the Financial Aid Director at Artistic Academy and has had the pleasure of working for Artistic Academy for over 15 years seeing more than 2000 graduates of the Academy go and take the State Board Exam and successfully pass it and procure a career in the cosmetology industry. She stated her reason for being present was two-fold in that she was disappointed when she heard the mass testing was not being sponsored by the Department of Education and has written the Board to approve a batch testing for her students who are graduating on or before June 30th in time for the July testing date. She stated that Artistic Academy has a pass/fail rate currently of 80% and that is actually considered to be extremely high in comparison to other State Board pass/fail rates. The individuals who have taken mass testing in the past

11 years have had a consistent 92-95% pass rate. It is a phenomenal program and it enables the schools to have their students take the test while they are still in school 3 to 4 weeks prior to the date of their graduation. The administrators and educators of the Academy are able to see where their weaknesses are and have the opportunity to assist them prior to the date of graduation. As a result, when they are called for the next exam date they have a higher ability of passing and that is why I am here today to ask the Board to allow our students to batch test in July.

Ms. Darlene Fox stated that the other reason she was before the Board is because she has come across Bill A-871 which proposes a barbering bill and on behalf of the New Jersey School Association she would like to share with the Board why they are opposed to this bill. She handed out written notes from the New Jersey School Association in their opposition to A-871. She indicated that it proposes two (2) licenses and that it is written poorly, it creates confusion and it is inaccurate in its writing. It allows no accountability and no consumer protection. It allows physical contact of the entire "Body". She stated that the education component is missing from the bill, there is no course content required. It denies low income students full Government funding, it allows "1200 hours" of apprenticeship with no max time for them to complete hours and would create "kitchen barbers". There are only 4 other states in the United States that still have apprenticeship with substantially high hour requirements. She indicated that those states are Alaska, Delaware, Maine and New York and that they require at least 3 years or 3000 hours of apprenticeship. The New Jersey School Association is not saying that it is opposed to adding an additional program or course for barbering if there is a demand. It also opens up a big liability to the State as to who will be monitoring the program. New Jersey already has the best of both worlds with a student permit at 50% of course completion and can work in a salon while still in school. She asked where the Board stood in regards to this bill.

Mr. Christian Jones stated that the Board stands at a crossroad of moving ahead with writing the language that is more appropriate. This Board is in agreement and voted to oppose the Bill as it is presently written for the same reasons Ms. Fox has just mentioned. However, we have had some difficulty in getting our ideas formulated to go forward with it. We are close to sitting down and going over it and picking a course of action whether it will be overwriting this bill, which was recommended to us last month, or writing completely new legislation. He indicated that the Board shared Ms. Fox's concerns.

Ms. Darlene Fox stated that she has contacted several Senators and Assemblyman Craig Stanley and the other co-sponsors of the Bill (A871) indicating her dissatisfaction as presently written. She has contacted several legislators in writing as well as e-mail to express her concern and has asked the New Jersey School Association to do so as well. She indicated that the Association is aggressively seeking to have the Bill either re-written entirely or overwriting the bill to make it more palatable. She stated that it really shows no accountability and she is afraid that the consumer will be put in harms way. She appreciated the Board's time in regards to this matter and assured the Board that the New Jersey School Association will continue to contact the legislators and sponsors of A-871 to make amendments. She indicated that she was pleased to know that the Board feels the same way.

Mr. Ronald Brown questioned whether Ms. Fox is saying that she would be in agreement with the Bill as she sees it but that it be rewritten to be more lenient towards education.

Ms. Fox stated that she would either be interested in having it rewritten or overwriting it.

Mr. Ronald Brown questioned why she would be interested in overwriting it, did that mean she would accept some kind of compromise in terms of accepting that particular type of license with an education component?

Ms. Fox stated yes, she agreed. She did not agree with the apprenticeship only component. She indicated that apprenticeship existed under the barbering statutes prior to 1985 and it required 18 months worth of apprenticeship with a minimum of 8 hours a day, 5 days a week. That did not prove to be successful and so she did not see how this bill can be proposed with less time. If it is to be rewritten it should be rewritten

with the same course syllabus that we utilize under the State Board of Cosmetology regulations. If the cosmetology course is a 1200 hour program and is in the school system, given theory and a practical element the student is being educated by licensed educators in a licensed facility than the barber program needs to be reenacted and needs to be reformulated, it should also be reformulated in an educational environment being taught by educators that are licensed to teach utilizing a curriculum to include sanitation, sterilization and chemistry as related to cosmetology. If there is a need and a demand for a barber license, than she says put it in there, but rewrite it in an educational environment that is being taught by licensed educators.

Mr. Jay Malanga stated that in addition to the 18 month apprenticeship program for the barbers prior to 1985, they also had to complete an additional 2 year journeyman program prior to sitting for the State Board Barber exam. He stated that with regard to special testing, the Board is going forward with it unless something unexpected should arise, at the Department of Vocational Education. The schools will be notified by Thompson Prometric very shortly. He advised that applications will have to come in to the Office completed properly, otherwise they will be returned and those applicants will have to be excluded since time will not allow them to be returned. He indicated that he wanted to go on record so the schools are aware of the short time frame we are facing.

The Board's counsel stated that the Board traditionally has been playing a support role for the mass testing with the Department of Education. If the Department of Education and Thompson Prometric is not able to secure a site or the time to actually process the applications, it is not because the Board did not support it.

Mr. Jay Malanga stated that the Board did not discontinue the mass testing and has always been supportive of it. He indicated that he is scheduled to call the Department of Vocational Education to discuss the Board's participation in the testing process and that Mr. Earl Brancolino was going to be the coordinator of a team from the Department of Vocational Education to work with the Board for the mass testing program for 2006.

The Board's counsel stated that the initiative for mass testing has to come from the Department of Education.

Ms. Darlene Fox indicated that her question to the Board is that if they cannot do the mass testing, could the Board approve a batch testing for her students.

Mr. Jay Malanga stated that he would not anticipate it being a problem, however it would have to be a tested sometime late June or July.

Ms. Darlene Fox thanked the Board for their time.

ACCEPTANCE OF MINUTES:

Upon motion made by Ms. Denise Pereau and seconded by Mr. Ronald Brown, the Executive Director's report, Committee reports and Minutes of the regular monthly meeting held February 14, 2006 are accepted as read. The motion passed unanimously.

INVESTIGATIVE INQUIRIES:

10:15 A.M. Ms. Elise Stone, 11 Braille Lane, Hazlet, New Jersey 07730 appeared for an investigative inquiry hearing in connection with her alleged abuse of Dorothy Siegel, a resident of Liberty Manner Assisted Living Residence on May 25, 2004.

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Christian Jones, the Board went into Executive Session for the purpose of conducting an investigative inquiry hearing. The motion passed unanimously.

10:45 A.M. Ms. Natalie J. Spilotras, PO Box 222, Glen Gardner, New Jersey 08826 was scheduled to appear for an investigative inquiry hearing in connection with her convictions of Theft By Deception and Forgery and her failure to divulge this information when she renewed her cosmetologist-hairstylist license #WG38784 on August 20, 2004.

Ms. Natalie J. Spilotras did not appear or request an adjournment and the Board advised that this matter is to be rescheduled.

11:15 A.M. Mr. Ermanno G. Bibbo, 7 Bloomingdale Drive, Apt. 211, Hillsborough, New Jersey 08844 appeared for an investigative inquiry hearing in connection with his conviction and incarceration of fourteen (14) various criminal offenses and his desire to be admitted to the cosmetologist-hairstylist examination.

Upon motion made by Mr. Ronald Brown and seconded by Mr. Jack Fornaro, the Board went into Executive Session for the purpose of conducting an investigative inquiry hearing. The motion passed unanimously.

BUSINESS AGENDA

1. A comparison of penalty assessments and collections for the years 2003, 2004 and 2005.

Note: This matter was previously presented to the Board at its regular monthly meeting held February 14, 2006; but the Board's counsel requested that the matter be tabled for discussion with the Assistant Executive Director present.

Mr. Jay Malanga stated that the this item was only for Board information. He noted that the Enforcement Bureau has started to increase inspections based on the Board's request.

The Board's counsel stated that it is important to understand the role the Enforcement Bureau plays in helping the Board to investigate matters within its jurisdiction in order to protect the health, safety and welfare of the public. She also stated that it is very important that the Board Members understand the important function they play in that the Board meets to conduct Board business.

Mr. Jay Malanga stated that the Board has been issuing Certificates of Debt for penalties not collected and that at some point in time we will collect most money due the Board.

Mr. Ronald Brown indicated that the investigators may be overworked, but they are out there doing their job.

2. Correspondence received from Ms. Darlene Fox, Financial Aid Director, Artistic Academy, 301 Gibraltar Drive, Suite 1A, Morris Plains, New Jersey 07950 with regard to the cancellation of the special mass tests that have traditionally been conducted in the Spring, just prior to June graduations and her desire to have the Board batch process her students in the month of July 2006 was presented to the Board for consideration.

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Christian Jones, the Board approves Ms. Darlene Fox's request for batch testing in the event there is no mass testing. The motion passed unanimously.

3 Correspondence received from Ms. Migdiana Trejo, 1112 5th Street, North Bergen, New Jersey 07047 with regard to her application for initial (change of ownership) licensure of East Coast Barber Shop, 120 Bowers Street, Jersey City, New Jersey 07307 was presented to the Board for consideration. The report of inspection reflects that the shop only contains 323 square feet of floor space, 27 square feet short of the minimum required by N.J.A.C. 13:28-2.5 but she indicated that a barber shop has been operated at this location since 1902 and that it is impossible for her to enlarge; and she asked that the Board waive its

minimum square footage requirement and issue the desired license.

Mr. Jay Malanga advised that the salon was pre-existing, prior to December 5, 1985.

Upon motion made by Mr. Jack Fornaro and seconded by Mr. Christian Jones, the Board waives the minimum square footage requirement provided Ms. Trejo have one(1) operator practicing at any given time. The motion passed unanimously.

4. Correspondence received from Mr. Pete Youpa in connection with his application for initial shop licensure of Pete Youpa's Barber Shop, 358 South Main Street, Phillipsburg, New Jersey 08865 was presented to the Board for consideration. The report of inspection reflects that the premise only contains 334 square feet of floor space, 16 square feet short of the minimum required by N.J.A.C. 13:28-2.5 but he indicated that the space is more than large enough to hold five people since he will be working alone by appointment and performing only barbering and that it is impossible for him to enlarge; and he asked that the Board waive its minimum square footage requirement and issue the desired license.

Mr. Jay Malanga stated that this case is problematic. The regulations call for a minimum of 350 square feet.

Mr. Christian Jones stated that the Board had some discussion last month on the 350 square feet minimum requirement. He indicated that the Board is charged with the public safety and welfare and he feels the Board could provide both in this situation. Mr. Youpa is operating alone.

Mr. Jonathan Eisenmenger indicated that if the Board waives the minimum square footage requirement today, it would set precedence.

Mr. Anthony Monaco read the N.J.A.C. 13:28-2.5c aloud and indicated that if the Board has some rationale it could grant a waiver. To him 16 square feet short is enough rationale.

Mr. Carlo Melini indicated that the Board would review cases such as this on a case by case basis.

Upon motion made by Mr. Jerry Speziale and seconded by Mr. Joseph Santagata, the Board waives the minimum square footage requirement provided Mr. Youpa have one (1) operator practicing at any given time and advises him that if he ever intends on selling the shop, the waiver will not be granted to the new owner and the new owner will have to enlarge to satisfy N.J.A.C. 13:28-2.5. The motion passed unanimously.

5. Correspondence received from Mr. Craig Simpson, t/a Lakehurst Barber Shop, 17 Union Avenue, Lakehurst, New Jersey 08733 in connection with the penalties assessed against him in the amount of \$500.00 for the alleged violations resulting of an inspection of his shop on January 4, 2006 was presented to the Board for consideration. He admitted to the charges of operating in an unsanitary manner (vanity drawers) and operating without the posting of required notices and paid the penalties (\$300.00) for those violations and waived his right to a hearing on the charge of operating without all minimum required equipment (dispensary) but furnished a written explanation for the Board to consider before rendering its final decision.

The Board's counsel indicated that there was ample substantiated mitigating circumstances.

Upon motion made by Ms. Janice Alvarez and seconded by Mr. Jerry Speziale, the penalty in the amount of \$200.00 for operating without all minimum required equipment (dispensary) is rescinded. The motion passed unanimously.

6. Correspondence received from Mr. Hakeem Holmes, 111 South Harrison Street, East Orange, New Jersey 07018 in connection to his application for initial shop licensure of Definition of Hair and his conviction of Unlawful Possession of a Weapon-Handgun was presented to the Board for consideration. This matter is presented in order that the Board might render a determination with respect to his eligibility

for initial shop licensure.

Upon motion made by Mr. Joseph Santagata and seconded by Mr. Jack Fornaro, the Board withholds decision pending Mr. Holmes' appearance at an investigative inquiry hearing. The motion passed unanimously.

7. Correspondence received from Mr. Martin Burger, Esquire on behalf of Young Soon Chu, 290 Mohegan Way, Fort Lee, New Jersey in connection with the Provisional Order of Discipline issued to Ms. Chu on January 12, 2006 and his request for modification of the two (2) year suspension was presented to the Board for consideration.

Upon motion made by Mr. Christian Jones and seconded by Ms. Denise Perea, the Board accepts the request for modification of the two (2) year suspension. The motion passed unanimously.

8. Correspondence recently received from Ms. Tysha Dills, 221 Winfield Avenue, Jersey City, New Jersey in connection with her conviction of Possession of CDS and her desire to be admitted to the cosmetologist-hairstylist examination was presented to the Board for consideration. Ms. Dills appeared for an investigative inquiry hearing at the regular monthly meeting held January 11, 2005 but the Board withheld decision until such time as she furnished and it reviewed copies of the police reports, her certificate of release from probation and a letter from her probation officer verifying that she is in compliance with her payment schedule and specifying the amount of her outstanding balance.

The Board's counsel noted that Ms. Dills has not complied with her payment schedule and that the Board should consider admitting her to examination only after she has submitted proof of making 3 consecutive months of payments for the fines and penalties imposed by the court.

Upon motion made by Mr. Jack Fornaro and seconded by Mr. Joseph Santagata, once Ms. Dills shows evidence that she has paid 3 consecutive months of her fines and costs imposed by the court, the Board will allow her to sit for examination. The motion passed unanimously.

9. Correspondence recently received from Mr. John P. Murdoch II, Esquire on behalf of Lisa E. Spina in connection with the penalty assessed against her in the amount of \$1500.00 for her alleged violation of N.J.S.A. 45:5B-8 on August 15, 2005 was presented to the Board for consideration. Mr. Murdoch has advised that despite his client's best efforts, she could not obtain the \$1,500.00 that is due and asked that the Board reconsider its decision.

Note: The Board previously considered this matter at the regular monthly meeting held January 10, 2006 and after careful consideration found respondent guilty, but due to mitigating testimony reduced the penalty assessed (\$2500.00) to \$1500.00.

Mr. Jay Malanga advised that the Board should not consider reducing the penalty, however they can propose a monthly payment plan.

The Board's counsel indicated that he should also be notified that the Board will not revisit this issue again.

Upon motion made by Ms. Denise Perea and seconded by Mr. Christian Jones, a payment plan of \$100.00/month for 15 months is to be allowed. The motion passed unanimously.

AGENDA SUPPLEMENT

1. A memorandum submitted by Ms. Mary Ann Sheehan, Regulatory Analyst in reference to Assembly Bill 871 and proposed amendments was presented to the Board for consideration.

Ms. Mary Ann Sheehan stated that she had sent a memo to Mr. Richard G. Griswold and copied Jay. Basically what she did was to try to lay out what she thought the Board wanted to see as amendments to

the Stanley Bill. At the last meeting the Board had discussed how it could go about getting amendments to the Stanley Bill 871. They were told it would be through the Director's office and in consultation with the Office of the Attorney General and then forwarded to Legislative Services. Having done that she looked at basically two things the Board wants accomplished. To delete both the "general barbering" and "barbering and hairstyling" licenses and replace them with a single "barbering license" which would allow a license holder to perform all the practices currently listed in the definition of "barbering" in N.J.S.A. 45:5B-3. Also, delete the training requirements for both the "general barbering" and "barbering and hairstyling" licenses outlined in the bill, and require an applicant for a "barbering license" to submit evidence that he or she is of good moral character, is at least 18 years of age, does not have a communicable, contagious or infectious disease which could reasonably be expected to be transmitted during the course of rendering barbering services, has completed high school or its equivalent, has completed 1200 hours of in-class education of the curriculum approved by the Board (including practical skill experience) at a school of cosmetology and hairstyling licensed in this State, a public school approved by the Board of Education to offer vocational program in cosmetology and hairstyling, or a school of barbering licensed in another state which, in the opinion of the Board, offers curricula which is substantially similar to that offered at licensed schools within this State; and has passed the barbering examination conducted by the Board. She stated that the first question she has is that she has to justify for her office why should an applicant for this limited license, although we didn't call it that, have to complete the same number of hours of training as would a person getting a full license.

Mr. Christian Jones stated that he did not know that they can justify it, but the way to get back from 1200 hours would be to eliminate the current cosmetology and hairstyling sections of the present cosmetology and hairstyling curriculum.

Ms. Mary Ann Sheehan stated that she needed to know the Boards input on how many hours.

Mr. Jay Malanga stated that 600 hours would be very problematic. He stated that Mr. Griswold suggested Ms. Aurie Gosnell, Director of National Interstate Council be contacted in reference to the training hours. He stated that Ms. Gosnell had been contacted at the time of the original merger and that she had indicated that the 30 to 35 states that NIC was testing at the time had curricula which was almost identical whether it was a cosmetology school or a barber school. This Bill as it exists now will not provide for training and education pertaining to infectious diseases, sanitation and sterilization. Mr. Malanga also noted that other states are moving away from the apprenticeship program because of the difficulty in monitoring it and the oversight.

Ms. Mary Ann Sheehan stated that she did not think the Director's Office has a problem with doing away with the apprenticeship program, we could make all those arguments, but she believes the educational part with the 1200 hours will be a problem.

Mr. Jay Malanga stated that we have to look carefully at the Barber curriculum to insure that the Barber candidates will be trained with the proper utilization of dangerous implements, such as razors, scissors, clippers and where applicable, chemicals utilized for hair processing and straightening, etc..

Ms. Mary Ann Sheehan stated that is why she is trying to come up with the number of hours.

Mr. Carlo Melini stated that in the Board's regulations the curriculum for cosmetology and hairstyling is spelled out and he suggested deducting hours that do not pertain to the barbering license in order to establish the hours Ms. Sheehan needs.

Ms. Mary Ann Sheehan stated that would be the best approach.

Mr. Jack Fornaro suggested 900 hours.

Mr. Christian Jones indicated that the Board could not come up with an arbitrary number without discussing it first.

Ms. Mary Ann Sheehan stated that the point of the Stanley Bill from her limited research on this issue is to get more people in the barbering field and they do not want a significant economic impact to these people. The point of our amendments is to get Stanley to accept them and therefore we have to propose amendments that he would agree to. She stated that a 900 hour course of study is something that might not be accepted.

Mr. Ronald Brown stated that he is a constituent of Assemblyman Stanley and he knows Craig very well. He is being lobbied by barbers all across his area. They are upset that they have to go to school for anything other than barbering. 90% of the schools do not or cannot teach barbering or ever understand the aspects of barbering that Assemblyman Stanley's constituents are faced with. I do not believe that 900 hours would be accepted by Assemblyman Stanley because his constituents are actually guys who just want to cut hair and use the razor and that is it. In terms of dealing with hours we have to come up with, we must include hygiene, safety and sanitation and should implement training something in the shaving area, than the Board could come up with a compromise for Assemblyman Stanley. These young guys do not want to go to hair schools and at least 75% of these salons out there have kids working in them illegally.

Mr. Jay Malanga stated that it is admirable with what Assemblyman Stanley is trying to accomplish but if we establish a course that is less than the 900 hours the students will not be eligible for financial aid.

Ms. Mary Ann Sheehan stated that at the last meeting we laid out the approach that the Board could take. We are not in a position to support something that we think will not be acceptable to Stanley at this point. She advised that the Board take the number of hours for training very seriously and if they could not strike a number that her office thinks is reasonable than they will not put it forth.

Mr. Christian Jones stated that he would be reluctant to put an arbitrary number on this amendment because they still do not have the language they need. He indicated that he was a little frustrated about this because he has been trying for months now to get some dialogue and discussion on this with the Legislative Committee.

The Board's counsel stated that she spent a lot of time getting that motion out and calling every Board Member and she could not believe that the Committee is still trying to get a meeting date.

Mr. Christian Jones stated that it needs further discussion.

Ms. Mary Ann Sheehan stated that if the Board is going to do the amendment, it needs to get something upstairs relatively quickly in order to contact the Attorney General's Office and that she needed to let the Board know that the 1200 hours that was part of the motion is not feasible.

Mr. Carlo Melini suggested that the Legislative Committee meet while the Board breaks for lunch.

Ms. Mary Ann Sheehan stated that the Committee met while the Board was out to lunch and they came up with the following keeping in mind that we are trying to get a compromise so that we can get our language inserted in the Stanley Bill in order for the change to move forward. She indicated that the Committee is requesting that the definition and breakdown of "barber hairstyling" be removed entirely. What we would be left with is a general barbering limited license that would allow a person that holds that license to do the following: a person with a general barber license will be allowed to shave or trim the beard, mustache or other facial hair, shampooing, cutting, arranging, relaxing or styling of the hair, singeing or dyeing of the hair, applying cosmetic preparations, antiseptics, tonics, lotions or creams to the hair, scalp, face or neck, massaging, cleaning or stimulating the face, neck or scalp with or without cosmetic preparations, either by hand, mechanical or electrical appliances; or cutting, fitting, coloring or styling of hairpieces or wigs, to the extent that the services are performed while the wig is being worn by a person. In order to get this license as a general barber, students would have to complete a 600 hours course of training in general barbering and would have to take and pass an examination. Also all the other components mentioned earlier would be required. The key is that the Board would want the apprenticeship training deleted completely and it would

require a 600 hour course of training in general barbering. In order to justify the 600 hours, the committee reviewed the curriculum currently in the regulations for the 1200 hour cosmetology and hairstyling course and broke down the hours they felt would be sufficient for the field of general barbering. After the student completes 300 hours they will be eligible for a student permit which will allow them to work in a school clinic or shop which is similar to what is now in place for the other licenses.

Upon motion made by Mr. Christian Jones and seconded by Mr. Jack Fornaro, the Board recommends that "general barbering" be retained in Assembly Bill 871 as its defined in the bill and in order to obtain a "general barbering" license the person would have to complete a 600 hour course of study and take and pass an examination. The Board is also recommending that the "barber hairstyling license" be deleted from Assembly Bill 871 as with the apprenticeship component. The motion passed unanimously.

In a separate matter, the Board's counsel requested that whenever the members address the Board she would like to see proper protocol at future Board meetings. Members should raise their hands and wait for the Chairperson to recognize them before speaking. Once recognized, they can then ask questions etc.. She indicated that they need to start following protocol. Two things are accomplished that way. One is our questions are not out of order, sometimes we have questions we just blurt out but the other person has yet to finish with their questions and/or follow-up questions.. Two, it is important for the chair to maintain control of the proceeding. She advised that at the next investigative inquiry hearing she would like to see hands going up and looking at the chairperson and waiting for the chair to recognize the person raising his/her hand before asking the question. The Board's counsel stated the Board will have to institute a time limit when they discuss difficult, important issues or issues we are all passionate about. There should be a timer and the Chairperson should determine how long a person may speak, so that everyone has an equal opportunity to speak and no one dominates an issue. In addition, whenever we talk to each other outside the Board or within the Board or anywhere else, we have to remain respectful of each others opinion. Once we learn to respect each other and give each other the courtesy that we deserve, the whole Board will have a different culture dynamic and atmosphere to important or difficult issues. She stated that she or any member should not have to fear asking questions and not feel that a person is being intimidated in any sense. She indicated she was only doing her job and if ever her tone is wrong she would like to be told about it. There are times she has to ask difficult questions, however it is part of her job and she asked for the Board's understanding when her tone is off.

The Board's counsel stated that another important thing that she wanted to point out is that Carlo had asked her to look at the statutes. She asked that the Board Members turn to page 4 and look at N.J.S.A. 45:1-2.2b 4th paragraph down and she read that paragraph allowed. Basically what the statute is addressing is that a public member can only observe and get reports, contribute input about reports on examinations, but they can not be part of the examination process. The reason is that they are public members without special knowledge or training. Mr. Jack Fornaro and Mr. Joseph Santagata are two public members that are currently sitting on the Examination and Sites Committee but they should not, by statute, be in this committee because they neither have the skills nor the knowledge it takes to be part of the process. She asked the Chair to look at it and to reappoint new members. Jack could be a public member in the Legislative Committee because it is not stated in the statute that he can not do that. It is only in the examination process which includes reviewing proposed exam questions, test applicants orally, choosing an examination vendor, checking academic and professional credentials at test sites, checking identification, reviewing, etc.. The public Board Member can only be at the test sites as an observer only and can not participate in any part of the examination process.

Mr. Joseph Santagata stated that he agrees and that he had mentioned this two months ago.

Mr. Carlo Melini stated that he would like to see the Board get more examiners so that we do not have to rely on participation from Board Members.

Mr. Jay Malanga stated that he and Barbara had spoken about getting more examiners and look into security people for security purposes and to work the check-in/check-out process.

Mr. Carlo Melini stated that he would like to see more independent people at the examination sites and also talked about raising the salaries for examiners and whether there was any way they could be paid for travel expenses.

Mr. William Mandeville stated that the Board would be better served by raising the examiners fee and that it would have to be done through Administration.

Mr. Carlo Melini stated that he thought \$150.00 would be good and give more licensed persons the incentive to participate in the examination process.

Mr. Christian Jones stated that when he attended the testing site to observe the process, there were some problems with language and cultural issues. They are having a difficult time and he feels that if the Board is getting more people to assist he suggested enticing people from other cultures to participate in and contribute to the process.

Mr. Carlo Melini felt that would be a good idea.

Mr. Jay Malanga stated that we already have someone from our office who attends the testing process in East Brunswick that is fluent in the Korean language.

Ms. Barbara Ambroise stated that in East Brunswick, they test approximately 500 candidates a month and that it is very difficult. She indicated that it is very difficult to try to control the candidates and their models, the hallways get very crowded to the point where it might be a potential fire hazard. She is requesting that the Board address the security issue. She also stated that without Board Member participation, she will need help. She understood that some Board Members are not able to make it to that exam site because they have shops to attend to on Saturdays.

The Board's counsel stated that she wished Barbara had brought this up many, many months ago. She has been here over a year and has never heard of this issue until now.

Ms. Barbara Ambroise stated that she had some people there that helped her, but with the change of Board Members Peter Macri, Frances Tomeo and Rose Policastro are no longer available and they were always there to assist her and help her. She indicated that in Middlesex County we have had situations where we have people selling razors in front of the school, we have had test booklets taken out of the testing room.

Mr. Carlo Melini questioned how the Board could get security.

Mr. Jack Fornaro stated that he has noticed at that test site that the janitorial people have control of things, but there are times especially with the barbering section that it is just crowded and they ask him to get a pathway going. He goes over there to see that everything is fine. He stated that on occasion Barbara has requested that he assist her in maintaining an orderly check-in by the candidates and that he does whatever Barbara requests him to do.

The Board's counsel indicated that in view of the statutory prohibition regarding public board members being part of the examination process, Barbara should not request Mr. Fornaro or any public member to do anything unless she addressed it first with the Executive Director with regard to the examination process.

Ms. Barbara Ambroise advised that she was not aware of the statutory prohibition.

The Board's counsel advised Barbara that if she anticipates any problems at the test site she should inform the Executive Director of the difficulty she has encountered at the examination site or with the examination process. The Board Members should report to the Chairperson if anything out of the ordinary occurs.

Mr. Carlo Melini asked when the next test was.

Ms. Barbara Ambroise stated that the next test would be in Wayne and that security was not an issue there. She stated that they have their own security.

Mr. Carlo Melini asked when the next test in Middlesex is.

Ms. Barbara Ambroise stated that it would be on April 1st.

Mr. Carlo Melini advised that the Board had to get this problem squared away by April 1st.

Mr. William Mandeville suggested that maybe Jay could contact the school and they could arrange for security on a regular basis, to include Saturdays.

Mr. Jay Malanga stated that in order to circumvent that issue right now. The Board could possibly schedule extra examiners or ask the school to increase the number of custodians to assist with security and bill the Board on the invoice for the facility.

Mr. William Mandeville stated that would be fine.

COMMITTEE REPORTS

PUBLIC RELATIONS:

Ms. Denise Pereau submitted a list of proposals for consideration by the Board. She indicated that since it was late in the day the Board could discuss these proposals at the next meeting.

LEGISLATION:

Mr. Jack Fornaro reported that the Committee just completed the Barber Bill and that all other committee work is up to date.

VIOLATION:

Mr. Jerry Speziale reported that all Committee work is up to date.

EDUCATION:

Ms. Denise Pereau submitted a list of proposals for consideration by the Board. She indicated that since it was late in the day that the Board could discuss these proposals at the next meeting.

EXAMINATION AND SITES:

No report was given.

SCHOOL

Ms. Janice Alvarez reported that all Committee work is up to date.

REGULATORY

Mr. Anthony Monaco stated that he contacted Mary Ann Sheehan regarding rule revisions. There are two separate issues, one is rule revisions which sunset in 2008 and the separate issue is the Barbering Bill which was discussed already today. As far as the rule revisions, two years from now is the deadline. The Board needs a final copy about one year from now.

Mr. Jay Malanga stated that in the past the Committee met once a month with the regulatory analyst, members, the Executive Director and Assistant Executive Director and the DAG. He suggested that if

members have any suggestion, they should submit them with the rationale behind them to the Committee Chairperson. He also suggested that it might be helpful if the Enforcement Bureau participate. He stated the Committee should start on this issue in a couple of months.

Mr. Anthony Monaco stated that this would be a long process.

Upon motion made by Ms. Janice Alvarez and seconded by Mr. Joseph Santagata, the meeting was adjourned at 3:40 P.M.. The motion passed unanimously.

CARLO MELINI, Chairperson
Countersigned:

JAY A. MALANGA, Assistant Executive Director