

**Vermont Secretary of State
Office of Professional Regulation
BOARD OF BARBERS AND COSMETOLOGISTS
UNAPPROVED MINUTES
September 15, 2008**

1. The meeting was called to order at 9:04 a.m.

Members Present: Josephine Thomas, Chair; Janice Crossan, Vice Chair; Madeline Roy; and Dolores Martineau. Ad-Hoc member: Cindy Lowell. Absent: Gregory Josselyn.

OPR Staff Present: Larry S. Novins, Board Counsel; Carla Preston, Unit Administrator; Gregg Meyer, State Prosecuting Attorney and Kara Shingraw, Administrative Assistant.

Others Present: Cindy Lowell, (Head Rater); Stephanie Lesage, (Rater); Mary Arel, (Rater); Patti Eaton, (Instructor); Andrea Richards, (Instructor); Yvonne Wolfer, (Instructor); Marcia O'Neill, (Instructor); Pierrette Marsh, Lori Matava, (Instructor); Linda Longstreet, Kathy Perry, and Brenda Hart.

2. The Chair called for approval of the Minutes of the August 18th meeting. Ms. Roy made a motion, seconded by Ms. Martineau, to approve the Minutes of the August 18, 2008 meeting as presented. Motion passed unanimously.

3. **Hearings/Stipulations**

The Board reviewed the *Stipulation and Consent Orders* in the matters of Docket Numbers CO19-0507 and CO20-0507, Cynthea Hauseman and Cynthea's Spa, LLC. The Respondent was not present. Gregg Meyer, State Prosecuting Attorney was present for the State. Attorney Novins presided for the Board. Based on the information submitted, Ms. Crossan made a motion, seconded by Ms. Thomas, to accept the *Stipulation and Consent Orders* as amended to correct a license number. Motion passed 4-0. Ms. Roy, Investigating member, did not participate in the vote.

4. **Reports/Guests**

The Board invited representatives from schools and Prometric, Inc., the Board's examination service, to discuss the growing failure rates among candidates and to identify strengths and weaknesses for all involved. Attendees included representatives from the schools, instructors, and from Prometric which included "raters" for the practical examination.

Chairperson Thomas said the pass rate for the July exam administration was only 50 percent. Out of 34 candidates, 17 failed. Statistically it was a very high failure rate and the Officer received numerous calls from candidates and school representatives.

4. Reports/Guests-Continued

Christopher Winters, Director of OPR said he heard particular regarding the July examination and from repeated attempts. He said the most common concern they had little or no idea of how they went wrong. integrity of the examination must be maintained. He provides some more detail about failed areas to candidates and examination.

from a few candidates as well, in others who continued to fail after raised by those candidates was that He said he clearly understands that the e asked the Board to consider ways to idates without jeopardizing the

Chairperson Thomas said she recently observed the August 2008 examination administration. She said she found candidates unprepared, not following specific directions, not understanding tasks that required completion, were not adhering to time sensitive procedures, and lacked professionalism, particularly regarding their attire. She said she observed considerable rework, over-combing, too much time spent measuring the length of the hair, failure to finish the hair cutting portion, using the wrong comb for the permanent waving portion, dropping combs or other supplies, and not following proper procedures. She said the majority of candidates arrived at the examination wearing revealing low cut tops, pants well below the waistlines showing undergarments, and flip-flops on their feet. They did not wear overcoats.

August 2008 examination epared, not following specific ompletion, were not adhering to time articularly regarding their attire. She , too much time spent measuring cutting portion, using the wrong comb for ers supplies, and not following ates arrived at the examination ewaistlines showing undergarments, ercoats.

Other members of the Board and staff who had observed the examination administration in the past confirmed those findings. They pointed out that one of the sanitation portions of the examination is their “bag” which must be kept closed. If it is left open, it is not sanitary thus a fail. Combs may be picked up if dropped, however the candidate must sanitize their hands and cannot reuse the dropped comb. Other observations included candidates’ bringing mannequin heads with snarled hair that takes extra time to smooth out.

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Several persons in the audience indicated that it was their understanding that the hair cutting portion of the examination was not a fail if it was not completed. They also expressed the need for candidates’ who fail the examination to receive more feedback about the failed area. They argued that it is difficult as an instructor to assist the candidate in retaking the exam or a portion thereof, when it is unclear to the candidate as to what they did wrong. Even though the students have graduated at the time they sit for the examination, they communicate their successes or failures back to the school. The schools value that information. They suggested adding a category to the fail report of whether it was related to procedure or safety so that it gives a clearer idea of where the candidate went wrong and what to do to correct it. They indicated that their students report to them incidences of having the same area for retakes. The instructors in the room masked for permission to observe a practical examination administration.

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The Board clarified that failure to complete the haircutting portion is not an automatic fail, however it has an impact on remaining portion

of the examination, which are likely

4. Reports/Guests-Continued

to result in a fail.

Cindy Lowell, Head Rater from Prometric, Inc. confirmed that failing to complete the haircut is not an automatic fail, however it will impact four questions on the examination. She said Prometric's policy is that retake candidates do not have the same rater as they did previously. She noted that that data is record ed. Only on a rare occasion (once this year) did a retake candidate have the same rater. She said grading the practical portion of the examination is not overly subjective. The candidate either does or does not perform the required task. She said raters go to classes for or training. Ms. Lowell and the other raters present indicated that their observations mirrored the Board's regarding candidates' preparedness, rework, and soon. Ms. Lowell said candidates are not graded on their professionalism. The Board requires, which is stated in the *Candidate Information Bulletin*, that neat, clean and professional attire is required.

The group completely agreed about the professionalism and candidates' attire worn to sit for the examination. Everyone realizes that this generation is very different from generations in the past and that these young persons believe they are dressed "professionally." Most of the schools present indicated that their students are required to wear lab coats. It was also noted that today's students lack some general life skills such as doing laundry, sweeping up their stations, general cleaning up, and soon. Everyone was mindful about potential additional costs for students if specific clothing (i.e., lab coats) was required.

The Board mentioned that it is working with Prometric to make the written portions of the examinations (theory and jurisprudence) available online. This would separate the written and practical portions of the examinations. Candidates could sit for the written portions of the examination one day, and take the practical portion on another date. This would allow them additional time to focus on the practical portion. There are many details that need to be worked out before implementation. Both parties will make an effort to proceed with this option. That proposal was welcomed by attendees.

Solutions and Resolutions:

Based on the discussion mentioned above the following actions will occur:

- Candidates will be advised that black lab coats and closed-toed shoes are required to be admitted into the examination (At a future date to be determined, candidates would not be permitted to sit for the practical examination if they do not have the appropriate attire)
- The report issued to candidates who fail the practical portion of the examination will include whether they failed in a procedural (technical) or a safety area (repeat failures will be dealt with on a case by case basis)

4. Reports/Guests-Continued

- Instructors will share this information with their students
- Prometric will notify schools when the *Candidate Information Bulletin* is updated and remove outdated information from its Website
- Schools and students are advised to periodically check Prometric's Website for updates
- Prometric will update the *Candidate Information Bulletin* regarding the above and recent changes in preparation times

The Board agreed that instructors would be permitted, by appointment only, to observe the administration of the practical examination not more than one time per year. Members concluded that it was a good check and balance for all concerned. Requirements for guests or observers during the examination will be established and must be followed (i.e., no communication verbal or non-verbal).

All attendees and the Board significantly benefited from this networking opportunity. Ideas were shared among attendees, which will improve candidates' ability to successfully complete the examination.

5. Complaints/Followups

6. Legislation & Draft Rules

7. Applications for Discussion

8. Correspondence

- a. The Board reviewed the August 28, 2008 letter from Adam Brier regarding barbers schools in prisons in the state of Vermont. Vermont does not have any barbers schools in any of the prisons systems Mr. Brier will be notified.

- b. The Board reviewed and noted the miscellaneous correspondence.

9. National Accrediting Commission of Cosmetology Arts & Sciences Correspondence

10. National-Interstate Council of State Boards of Cosmetology Inc. Correspondence

The Board reviewed and noted the July/August "NICB Bulletin."

11. National Coalition of Esthetic & Related Associations' Correspondence

12. National Association of Barber Boards of America

13. Public Comment

