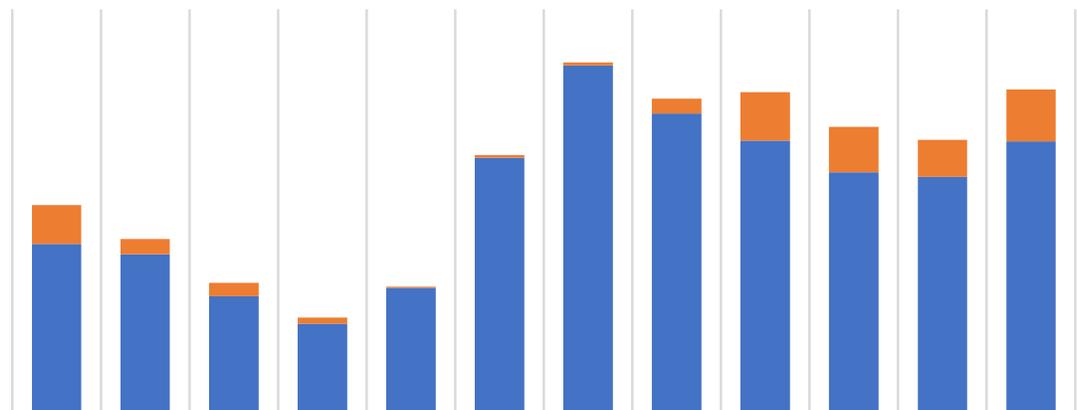


Barber Advisory Board Licensing Statistics Fiscal Years 2015 to 2018

	New Licenses Issued	Percent New Licenses Issued Online	Renewal Licenses Issued	Percent Renewals Issued Online	FY 2018 TOTAL POPULATION	FY 2017 TOTAL POPULATION	FY 2016 TOTAL POPULATION	FY 2015 TOTAL POPULATION
Class A Barber	775	N/A	4862	84.9%	17,220	16,383	15,941	15,435
Manicurist	2	N/A	86	84.9%	288	292	299	324
Technician	0	N/A	6	66.7%	14	15	16	16
Technician/Manicurist	1	N/A	N/A	N/A	1	0	0	0
Technician/Hair Weaving	0	N/A	N/A	N/A	5	5	5	4
Class A Barber Instructor	45	N/A	128	94.5%	480	419	367	323
Manicure Instructor	0	N/A	N/A	N/A	0	0	0	0
Technician Instructor	0	N/A	N/A	N/A	0	0	0	0
Hair Weaving Instructor	0	N/A	N/A	N/A	0	0	0	0
Hair Weaving Specialist	2	N/A	3	33.3%	11	12	9	8
Barber Student	2966	94.3%	N/A	N/A	3,104	2,813	2,708	2,300
Barber Shops	318	73.9%	824	72.7%	3,567	3,607	3,621	3,656
Manicurist Shops	5	100.0%	9	88.9%	49	60	56	60
Dual Shop	764	0.0%	875	0.0%	4,669	4,164	3,835	3,417
Weaving Shop	0	0.0%	1	0.0%	6	5	7	7
Mobile Salon	2	N/A	2	0.0%	15	17	14	17
Private Barber School	6	N/A	44	N/A	86	78	75	65
Vocational Barber School	2	N/A	N/A	N/A	2	1	0	0
Community College Barber School	0	N/A	N/A	N/A	0	0	0	0
TOTAL INDIVIDUALS	3791	94.3%	5087	85.1%	21,123	19,939	19,345	18,410
TOTAL FACILITIES	1334	0.0%	1831	21.5%	9,387	4,166	4,114	7,421
TOTAL BARBER LICENSEE POPULATION					30,510	24,104	23,459	25,831

*The population number is a snapshot of the number of active licenses on the first day of the month.
The number of licenses issued and renewed is the total activity performed during the fiscal year.

BARBERS CUSTOMER SERVICE CONTACTS FISCAL YEAR 2018



	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
Email Totals	135	52	47	22	4	9	10	51	167	157	128	179
Call Totals	588	553	407	312	437	887	1,206	1040	946	836	821	943

Barbering Advisory Board
Enforcement Division Staff Report
October 1, 2018

Case Highlights

Case No. BAR20180007850 - Francisca A. Ramirez

On May 9, 2018, the Executive Director signed an agreed order that finalized the settlement agreement between the Department and Francisca A. Ramirez. As part of this negotiated settlement, Respondent accepted liability for performing a straight-razor shave on a male client even though she was licensed to practice cosmetology only and had no barber's license. To resolve this violation, Respondent agreed to pay the Department an administrative penalty of \$1,125.

Case No. BAR20180009626 - Adrian Aguilar d/b/a Trnd Setters Barbershop

On May 9, 2018, the Executive Director signed an agreed order that finalized the settlement agreement between the Department and Adrian Aguilar. As part of this negotiated settlement, Respondent accepted liability for two violations: failing to cooperate with an investigation and allowing allowed an unlicensed person to perform barbering on the premises of Trnd Setters Barbershop.

The violations alleged in this case are Respondent's second violation of the Department's law and rules. Specifically, on March 14, 2018, the Executive Director granted the Department's Motion for Default against Respondent. The order found Respondent had allowed an unlicensed person to perform barbering on the premises of Trnd Setters Barbershop and it assessed Respondent an administrative penalty of \$1,500, which Respondent has paid in full.

As prior violations increase the penalties sought in subsequent actions, to resolve the violations alleged in this current case, Respondent agreed to pay an administrative penalty of \$3,500.

Case Nos. BAR20170019188 & BAR20170021603 – Kenton Edward Connor d/b/a Blessed Barber College

On July 26, 2017, the Executive Director granted the Department's Motion for Default against Respondent. The order found Respondent liable for five (5) separate violations, each related to Respondent's persistent operation of an unlicensed BAR 'school.' The order also assessed Respondent an administrative penalty of \$8,000 (\$4,500 and \$3,500, respectively.)

Case No. BAR20170019670– Xenia Latorre (Respondent) d/b/a Grandes Liga Barber Shop

On July 26, 2017, the Executive Director granted the Department's Motion for Default against Respondent. The order found Respondent liable for four (4) separate instances of unlicensed activity on the shop premises. The order also assessed Respondent an administrative penalty of \$8,000

Case No. BAR20170012077- John Gaona

In February 2017, Respondent submitted his barber’s license renewal application to the Department. This application included a question that asked if Respondent had been convicted of any felonies or misdemeanors since his last renewal, to which Respondent answered “no.” But in August 2016, Respondent had been convicted of the offense of Deadly Conduct – specifically, for threatening a person with imminent bodily injury by exhibiting a deadly weapon (a firearm).

Based on this 2016 conviction, the Department moved to revoke Respondent’s license, and then Respondent requested this proposed revocation be heard at the State Office of Administrative Hearings. After a contested case, the Administrative Law Judge found for the Department and issued a proposal recommending that Respondent’s license be revoked, as Respondent had failed to show he possessed the fitness, honesty, integrity, and trustworthiness to be licensed as a barber.

This proposal was subsequently adopted by the Commission, and on May 24, 2018, Respondent’s license was revoked

Key Statistics for Fiscal Year 2018

Shown below are key statistics for the Barbering program and for all TDLR programs combined through July of Fiscal Year 2018.

<u>Statistic</u>	<u>BAR</u>	<u>TDLR</u>
• Number of cases opened:	692	9,572
• Number of cases resolved:	754	8,836
• Number of Agreed Orders:	135	1,227
• Total amount of penalties assessed:	\$388,950	\$3,012,710
• Total amount of penalties collected:	\$156,129	\$1,373,506

ADVISORY BOARD ON BARBERING

OCTOBER 1ST, 2018

EDUCATION, EXAMINATION, & SCHOOL SERVICES

Examination Review Committee (ERC) Updates

- Examination Staff attended the Barber Examination Review Committee meeting on August 21st – 22nd. The discussion was on Admin Rule 82.21(f), regarding the current rule “The examinee shall provide a model”. A demonstration was given on a mannequin head as part of the Education workgroup discussion to allow either mannequins or models when taking the Barber Practical Exam. The committee also completed their updates to the practical examination and voted to have the launch of the updated examination coincide with the rule change if the board votes to update the model rule requirement.

BARBER STATISTICS AND TRENDS

BARBER EXAMINATION STATISTICS

(AS OF AUGUST 31ST, 2018)

2018	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
Pass	200	247	233	680	195	177	272	644	274	279	227	780	246	269	249	764	2,868
Fail	160	195	163	518	144	119	166	399	193	170	172	535	170	140	184	494	1,946
Total	360	442	396	1198	309	296	438	1043	467	449	399	1,315	416	409	433	1,258	4,814
Rate	55.6%	55.9%	58.8%	56.8%	63.1%	59.8%	62.1%	61.7%	58.7%	62.1%	56.9%	59.3%	59.1%	65.8%	57.5%	60.7%	59.6%
2017	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
Pass	168	216	204	588	190	193	196	579	237	222	211	670	208	210	192	610	2,447
Fail	135	147	150	432	113	111	129	353	144	159	148	451	137	138	157	432	1,668
Total	303	363	354	1020	303	304	325	932	381	381	359	1,121	345	348	349	1042	4,115
Rate	55.4%	59.5%	57.6%	57.6%	62.7%	63.5%	60.3%	62.1%	62.2%	58.3%	58.8%	59.8%	60.3%	60.3%	55.0%	58.5%	59.5%
2016	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
Pass	137	195	165	497	177	143	193	513	201	200	211	612	194	199	193	586	2,208
Fail	101	97	95	293	80	87	103	270	112	117	89	318	154	124	128	406	1,287
Total	238	292	260	790	257	230	296	783	313	317	300	930	348	323	321	992	3,495
Rate	57.6%	66.8%	63.5%	62.9%	68.9%	62.2%	65.5%	65.5%	64.2%	63.1%	70.3%	65.8%	55.7%	61.6%	60.1%	59.1%	63.2%

BARBER CURRICULUM STATISTICS

(AS OF AUGUST 31ST, 2018)

2018	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
Curriculum Approvals Issued	25	17	10	52	0	38	11	49	46	26	58	130	46	217	25	288	519

EXAMINATION LICENSE TYPES STATISTICS

FY – 2018

(AS OF AUGUST 31ST, 2018)

SEPT – OCT – NOV					DEC – JAN - FEB				
1 ST QUARTER					2 ND QUARTER				
LICENSE TYPE	PASS	FAIL	TOTAL	RATE	LICENSE TYPE	PASS	FAIL	TOTAL	RATE
CLASS A WRITTEN	346	472	818	42.30%	CLASS A WRITTEN	334	369	703	47.51%
CLASS A PRACTICAL	310	29	339	91.45%	CLASS A PRACTICAL	295	20	315	93.65%
MANICURIST WRITTEN	0	1	1	0.00%	MANICURIST WRITTEN	0	0	0	0.00%
MANICURIST PRACTICAL	1	0	1	100.00%	MANICURIST PRACTICAL	0	1	1	0.00%
TECHNICIAN WRITTEN	1	0	1	100.00%	TECHNICIAN WRITTEN	0	0	0	0.00%
TECHNICIAN PRACTICAL	0	0	0	0.00%	TECHNICIAN PRACTICAL	0	0	0	0.00%
HAIRWEAVING WRITTEN	1	1	2	50.00%	HAIRWEAVING WRITTEN	0	0	0	0.00%
HAIRWEAVING PRACTICAL	0	0	0	0.00%	HAIRWEAVING PRACTICAL	1	0	1	100.00%
TECH/MANI WRITTEN	1	0	1	100.00%	TECH/MANI WRITTEN	0	0	0	0.00%
TECH/MANI PRACTICAL	1	0	1	100.00%	TECH/MANI PRACTICAL	0	0	0	0.00%
TECH/HAIRWEAV WRITTEN	0	0	0	0.00%	TECH/HAIRWEAV WRITTEN	0	0	0	0.00%
TECH/HAIRWEA PRACTICAL	0	0	0	0.00%	TECH/HAIRWEA PRACTICAL	0	0	0	0.00%
INSTRUCTOR WRITTEN	12	15	27	44.44%	INSTRUCTOR WRITTEN	5	7	12	41.67%
INSTRUCTOR PRACTICAL	7	0	7	100.00%	INSTRUCTOR PRACTICAL	9	2	11	81.82%
TOTAL	680	518	1,198	56.76%	TOTAL	644	399	1,043	61.74%

MAR – APR – MAY					JUN – JUL – AUG				
3 RD QUARTER					4 TH QUARTER				
LICENSE TYPE	PASS	FAIL	TOTAL	RATE	LICENSE TYPE	PASS	FAIL	TOTAL	RATE
CLASS A WRITTEN	409	489	898	45.55%	CLASS A WRITTEN	378	458	836	45.22%
CLASS A PRACTICAL	339	23	362	93.65%	CLASS A PRACTICAL	365	22	387	94.32%
MANICURIST WRITTEN	1	1	2	50.00%	MANICURIST WRITTEN	0	0	0	0.00%
MANICURIST PRACTICAL	0	0	0	0.00%	MANICURIST PRACTICAL	2	0	2	100.00%
TECHNICIAN WRITTEN	0	0	0	0.00%	TECHNICIAN WRITTEN	0	0	0	0.00%
TECHNICIAN PRACTICAL	1	0	1	100.00%	TECHNICIAN PRACTICAL	0	0	0	0.00%
HAIRWEAVING WRITTEN	0	0	0	0.00%	HAIRWEAVING WRITTEN	0	1	1	0.00%
HAIRWEAVING PRACTICAL	0	0	0	0.00%	HAIRWEAVING PRACTICAL	0	0	0	0.00%
TECH/MANI WRITTEN	0	0	0	0.00%	TECH/MANI WRITTEN	0	0	0	0.00%
TECH/MANI PRACTICAL	0	0	0	0.00%	TECH/MANI PRACTICAL	0	0	0	0.00%
TECH/HAIRWEAV WRITTEN	2	4	6	33.33%	TECH/HAIRWEAV WRITTEN	0	0	0	0.00%
TECH/HAIRWEA PRACTICAL	0	0	0	0.00%	TECH/HAIRWEA PRACTICAL	0	0	0	0.00%
INSTRUCTOR WRITTEN	6	6	12	50.00%	INSTRUCTOR WRITTEN	10	10	20	50.00%
INSTRUCTOR PRACTICAL	4	0	4	100.00%	INSTRUCTOR PRACTICAL	9	2	11	81.82%
TOTAL	780	535	1,315	59.32%	TOTAL	764	494	1,258	60.73%

REGULATORY PROGRAM MANAGEMENT DIVISION REPORT
Barber Advisory Board Meeting
October 1, 2018

Outreach & Project

- Elizabeth Perez and Marinela LaFleur participated in the PSI Cosmetology and Barber ERCs examination reviews in June, August and September 2018.
- Marinela and Elizabeth represented the agency at the Foundation for Advancement of Careers & Technical Education (FACTED) Conference: July 8th – 12th in Galveston.
- Marinela and Elizabeth represented the agency at the Texas Industrial Vocational Association (TIVA) Conference: July 15th – July 21st in Irving; also answered questions and provided information to industry attendees. Information such as license renewals, the agency's Human Trafficking initiative, continuing education requirements and any other assistance asked of us. Facebook and Twitter information was shared also.
- Armstrong McCall World's Fair: September 9-10, 2018 in Austin, Texas.
- Elizabeth and Marinela continue to assist Enforcement, Field Inspections, Licensing and Customer Service with questions that arise during investigations, inspections, as well as addressing daily industry inquiries and emails.

Upcoming Trade Shows

- 74th Texas State Association & Beauty Culturist's League Convention and Trade Show: October 7 – 9, in Beaumont, Texas.

Barber Advisory Board Meeting Field Inspections Division Report



October 1, 2018

Barber Most Common Violations Found During Inspections

3rd Quarter, Fiscal Year 2018

1. **Establishment furniture, equipment, and/or fixtures are unclean or are not in good repair.** - 16 Tex. Admin. Code Ch. 82.114(a).
2. **Failed to post individual licenses with a current photograph at the licensee's work station.** – Tex. Occupations Code Section 1601.451.
3. **Failed to prepare fresh disinfectant daily or more often if solution becomes diluted or soiled.** – 16 Tex. Admin. Code Ch. 82.101(a)(3).
4. **Failed to have restroom on or near premises without stored chemicals.** - 16 Tex. Admin. Code Ch. 82.114(e).
5. **Failed to store clean tools and materials in a clean, dry, debris-free environment or failure to separate clean tools from soiled tools or non-cosmetology supplies.** - 16 Tex. Admin Code Ch. 82.102(f).
6. **Shop failed to maintain a list of all employees and independent contractors.** - 16 Tex. Admin Code Ch. 82.71(c).
7. **Failed to post the most recent inspection report issued by the department in a place clearly visible to the public.** - 16 Tex. Admin. Code Ch. 82.71(m)
8. **Failed to display Notification of Public Interest Information and Participation.** - Tex. Occupations Code Section 1603.151(2).
9. **Failure to have a Certificate, License or Permit.** Tex. Occupations Code. Section 1601.251(a) and Section 1601.301(a).
10. **Failure to display a copy of the sanitation rules.** Tex. Occupations Code Section 1601.452.

Barber Schools Most Common Violations Found During Inspections

3rd Quarter, Fiscal Year 2018

1. **Furniture, equipment, and/or fixtures are unclean or are not in good repair. - 16 Tex. Admin. Code Ch. 82.114(a). (5)**
2. **Responsibilities--Withdrawal, Reentry, or Transfer of Student. Withdrawal. Except for a documented leave of absence, schools shall electronically submit a student's withdrawal or termination to the department within 10 calendar days after the withdrawal or termination. Except for a documented leave of absence, a school shall terminate a student who does not attend a barber curriculum for 30 days.16 Tex. Admin. Code Ch. 82.74(a) (5)**
3. **A barber school shall maintain one album displaying the school's portion of student permits, including affixed picture, of all enrolled students. The permits shall be in alphabetical order. No student may accrue hours for practical work or theory unless the student's permit is displayed in accordance with this subsection. 16 Tex. Admin. Code Ch. 82.72(l) (4)**
4. **A barber school may not increase, decrease, or withhold for any reason the number of credit hours earned by a student. Tex. Occupations Code Section 1601.558(d). (4)**
5. **Failed to store clean tools and materials in a clean, dry, debris-free environment or failure to separate clean tools from soiled tools or non-cosmetology supplies. - 16 Tex. Admin Code Ch. 82.102(f). (4)**
6. **Failed to prepare fresh disinfectant daily or more often if solution becomes diluted or soiled. – 16 Tex. Admin. Code Ch. 82.101(a)(3). (2)**

Division Projects

Mini Salon/Mini Barbershop Round Ups

Field staff in the East, North and South Regions have completed 86 mini-salon round-ups in throughout Texas in August, completing approximately 4,707 inspections this fiscal year.

Personnel Update

Fernando Reyes was promoted to the South Region Manager on June 1, 2008.

Congratulations to Ulises Ossio and Juan Muñoz, who were both selected as Liaisons effective August 1, 2018. Liaisons help perform school pre-license inspections and develop and perform inspector training for new inspectors and provide additional training to all inspectors when updates are made to the 11 programs that require inspections.

We are welcoming four new inspectors on September 17, 2018. James Turner and LaCreasha Wells will work in the DFW area, Nina Smith in the Houston area, and James McEachern will work in area of Bexar, Kendall and Comal Counties

Inspection Statistics Barber

	Barber Establishments		Dual Establishments		Barber Mini-Shops		Dual Mini-Shops		Barber Program Totals	
	FY 2018	FY 2017	FY 2018	FY 2017	FY 2018	FY 2017	FY 2018	FY 2017	FY 2018	FY 2017
SEPT	123	131	149	158	23	5	12	2	307	296
OCT	182	124	171	134	12	1	9	1	374	260
NOV	179	110	165	115	11	0	18	0	373	225
QTR 1	484	365	485	407	46	6	39	3	1054	781
DEC	95	105	108	120	1	6	4	10	208	241
JAN	173	144	215	168	19	10	12	5	419	327
FEB	209	118	202	135	21	17	13	8	445	278
QTR 2	477	367	525	423	41	33	29	23	1072	846
MAR	284	152	296	195	47	7	55	13	682	367
APR	250	130	259	142	18	7	18	16	545	295
MAY	234	121	290	159	21	7	45	6	590	293
QTR 3	768	403	845	496	86	21	118	35	1,817	955
JUNE	264	155	318	174	11	10	11	8	604	347
JUL	193	146	257	189	12	15	7	6	469	358
AUG	267	126	362	164	59	46	77	75	765	411
QTR 4	724	427	937	527	82	71	95	89	1,838	1116
Year to Date/ Year										
End	2453	1562	2792	1853	255	131	281	150	5781	3698
†Barber Schools Inspections were transferred to the Education and Examination Division as of September 1, 2015										
Barber Schools were transferred back to Field Inspections on March 1, 1018										

Inspection Statistics Barber Schools

	Barber Schools	
	FY 2018	FY 2017
SEPT	6	15
OCT	14	4
NOV	9	8
QTR 1	29	27
DEC	5	8
JAN	19	26
FEB	17	20
QTR 2	41	54
MAR	19	18
APR	24	8
MAY	11	20
QTR 3	54	46
JUNE	16	18
JUL	14	10
AUG	12	9
QTR 4	42	37
Year to Date/ Year End	166	164

Highlighted numbers were completed by the E&E division.