

From: [Elizabeth Jones](#)
To: [Trisha Linebarger](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Friday, June 26, 2020 2:41:54 PM

From: sunset@sunset.texas.gov On Behalf Of Texas Sunset Commission
Sent: Friday, June 26, 2020 2:34:24 PM (UTC-06:00) Central Time (US & Canada)
To: Sunset Advisory Commission
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS DEPARTMENT LICENSING AND REGULATION

First Name: Robert

Last Name: Diaz

Title: CEO

Organization you are affiliated with: Tonsore Master Academy

Email:

City: San Antonio

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or Opposed:

Hello, I absolutely oppose the Sunset Staff Report Issue 3 to be misleading and unfair to the Barber Beauty Industries and to the public for the following reasons. I noticed the word efficient used more than a few times. Efficient does not necessarily mean effective. The changes suggested by the Sunset Staff does not hold the best interests for the public or the Professional Barber Beauty Industry and fails to mention "unsafe practices" in addition to "unsanitary practices".

Combining licensees of both the barber and cosmetology program are similar but not identical, that would be like mixing oil and water - they do not mix.

Since 2005 the rights of the Barber and Cosmetology Industry has been whittled away, in conjunction with the fact of the increased barbers/cosmetologists and TDLR difficulty regulating both industries with the burden showing cracks in the foundation.

Fact: The Barber and Cosmetology are the largest programs which is almost half 42% of TDLR programs. Of that Cosmetology is 34% and Barbering is 8% respectfully. These numbers from taken from the Barbering and Cosmetology Licensing Structure - FY 2019, pg 40.

Though both programs are similar they are not identical. In ratio, Barbers make up 12% of licensing to Cosmetologists 88%, Barber students 14% Cosmetology students 86%, Barber Schools 30% Cosmetology Schools 70%, establishments Barbers 8% Cosmetologists 70%, overall licensing Barbers 8% Cosmetologists 92%.

I disagree with many of the Sunsets Staff findings and recommendations.

There are huge differences between two similar implements. The use of "unguarded" straight edge razor and the use of a "guarded razor" are similar but each serve a different purpose. It is well known that a barbers use of a straight razor is to give a classic clean shave experience and cosmetologists use the "guarded razor" which is correctly identified as a "hair sifter" is used to create texture and dimension in a haircut. So, one implement is for shaving the skin, the other is used to cut hair. Similar but different.

There is a resurgence in classic barbering, beard, and shaving services since 2002. Though men and women work in both occupations, male and female barbers specialize in male clientele and cosmetologists specialize in women

services.

Dual licensed shops make up 22% of total barber shops and beauty salon establishments.

Separate education benefits -bifurcation is needed for growth and life as in the heart, one branch pumps oxygen rich blood and the other branch removes oxygen poor blood. The division of the heart, protects the body. Since the barber and Cosmetology programs are the biggest programs and probably revenue producing it compares to being the heart of TDLR.

Combining dual licenses will only cause confusion and fail to protect the public, increase discrimination and lower job opportunities for the workforce. I believe there are other simpler solutions, for example, manicuring. Barber Manicurists make up .005% of the manicuring population for both programs. I have been a barber for 40 years and never have I seen anyone walk in and request a manicure service on a barbershop. I have been a school owner since 2016 and have never had anyone inquiring about getting a manicurist license.

Students from similar curricula as given in the example are limited in their education does not warrant combining the barber and cosmetology programs.

The student whatever their challenge, chose to enroll in the school of their choice. Withdrawing from one school and re-enrolling in another.

Furthermore, an institution that is dual license to teach manicuring in barbering or cosmetology should have no problem disenrolling that student from one program to and enrolling to another. A solution for students to switch from a barber program to a cosmetology program or vice versa is whether the school would accept their hours from another school. Both programs offer this solution, in addition an assessment could be given to see if the student does know or has been trained properly for their hours to be accepted or not. Barber Instructors are vital and essential in training future Barber and Cosmetology Crossover to Barber in safety & sanitation, disinfection, state regulations but equally important safe work practices which in turn protects the public from harm and unsafe practices.

It is not safe to combine both licenses since most cosmetologists would be allowed to use a straight razor and that would not be safe. The public would be confused because they would assume that the licensed individual can perform the straight razor shave. I have been training seasoned cosmetologists to become barbers for the last four years and I can attest that all of them had to be trained properly to perform 80 shaves to prepare them for the exam. Allowing professional barbers and cosmetologists to work in barber or cosmetology schools is not the same as being an licensed educator. An educator understands learner types and learning styles. This is information that if you are not in the education field the professional barber or cosmetologist would be at a disadvantage to teach students, which would be unfair to the students, the schools, and the public. The assumptions posed by the Sunset Staffs report that combining both licensees and eliminating is efficient and safe is in itself a disregard for public safety and professional prejudice.

I absolutely disagree with "needless barber pole regulation". It is an insult to the Barber Profession and reputation. Though it's true Barbers have a rich history in practicing medicine since the early 1300's and abolished in 1745. The barber pole is a universal iconic symbol stating the establishment specializes in men's haircutting and shaving, and the practice of barbering. It also protects the public from harm and the encroachment of the barber practice. If anyone uses the barber pole and is not a licensed barber, it is a deceptive fraudulent marketing and advertising, that person is posing as a barber and is a fake. Everybody wants the barber business. That is what I teach my students. Independent salons, chain salons and corporate salons. Today the barber pole recognized by all men all over the globe. The history of the medical/barber poles. Medical doctors used poles that were red and white stripes, hence the nurses were called "candy stripers". Barbers used poles that were blue and white. Today's barber pole signifies past, present. The medical history of the past, red for blood, white for bandages and blue for veins. The present represents the barber profession and patriotism, reflecting the American Flag - Red White and Blue.

In my opinion, the TDLR Commission ignored the Advisory Boards recommendations and forced the barbers to reduce hours out of fear not facts.

If revenue is what the TDLR requires then the focus should be raising and enforcing fines for unlicensed activity. Administering the barber Cosmetology programs into one will not reduce the workload - the workload will possibly increase. The Curriculum harmonization efforts should have simply been to increase the cosmetology crossover to barber hours from 300 to

500. The reducing of hours from 1500 hours to 1000 hours affected barber schools with lost enrollment and lost revenue.

There is no evidence that combining programs will be effective. Another possibility is it might hinder Title IV Funding and accreditations.

Any Alternative or New Recommendations on This Agency:

TDLRS concerns or complaints of growing pains of the barber beauty industry then maybe another agency should be created to address their concerns.

Thank you,
Robert Diaz

My Comment Will Be Made Public: I agree