

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :
 :
JENNIFER R. STOLL, : FINAL DECISION AND ORDER
RESPONDENT. : LS0806029BAC
 :
 :

Division of Enforcement Case File Number 06 BAC 076

The parties to this action for the purposes of Section 227.53 of the Wisconsin statutes are:

Jennifer R. Stoll
7980 South 56th Street
Franklin, Wisconsin 53132

Barbering and Cosmetology Examining Board
Post Office Box 8935
Madison, Wisconsin 53708-8935

Department of Regulation and Licensing
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Jennifer L. Stoll (Date of Birth is February 17, 1986) was duly licensed as a barbering or cosmetology apprentice in the state of Wisconsin (license #600-79253). That license was first granted on January 12, 2005, and expired on January 12, 2008. Ms. Stoll then possessed a barbering and cosmetology temporary practitioner license (license #20384). That temporary license expired on April 5, 2008.

2. Jennifer L. Stoll is now duly licensed as a barbering or cosmetology practitioner in the state of Wisconsin. This license was granted on March 7, 2008, and expires on March 31, 2009. The last address Ms. Stoll reported to the Department of Regulation and Licensing (Department) is 7980 South 56th Street, Franklin, Wisconsin 53132.

3. Ms. Stoll was first indentured as an apprentice through a Cost Cutters #6565 in Franklin, Wisconsin. She left that indentureship on July 14, 2006. Ms. Stoll and one of the owners of Kings Head has informed the Department that Ms. Stoll started working as an apprentice at Kings Head, 1246 North Van Buren Road, Milwaukee, Wisconsin 53202, on July 15, 2006.

4. The indentureship contract between Ms. Stoll and Kings Head shows a start date of October 24, 2006.

5. In resolution of this matter, Jennifer L. Stoll consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. Sec. 454.15.

2. The Wisconsin Barbering and Cosmetology Examining Board is authorized to enter into the attached stipulation pursuant to Wis. Stat. Sec. 227.44(5).

3. By the referred to in Findings of Fact 3. and 4., Jennifer R. Stoll has violated Wis. Stat. Sec. 454.10(1). All apprentices shall be indentured and shall be governed by s. 106.01, the apprenticeship rules of the department of workforce development and the rules of the examining board.

4. By the conduct referred to in Findings of Fact 3. and 4., Jennifer R. Stoll has violated Wis. Stat., Sec. 454.15(2)(i). Violation of Chapter 454 or of the Administrative Code promulgated under Chapter 454 is cause for discipline.

5. By the conduct referred to in Findings of Fact 3. and 4., Jennifer R. Stoll has violated Wis. Admin. Code § BC 2.03(1). Services provided by any licenses shall be performed in a manner that is consistent with basic and accepted practice standards and in accordance with all state statutes, board rules and local codes and ordinances.

6. By the conduct referred to in Findings of Fact 3. and 4., Jennifer R. Stoll has violated Wis. Admin. Code § BC 2.03(2). Licensees may provide only those services which they are competent to perform by training or experience and are licensed to provide.

7. By conduct referred to in Findings of Fact 3. and 4., Jennifer R. Stoll has violated Wis. Admin. Code § BC 6.01(7). An apprentice seeking to transfer his or her apprenticeship contract to another establishment owner shall contact the department of workforce development or the department for transfer procedures. An apprentice shall not transfer without prior approval of the board.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Jennifer R. Stoll (barbering or cosmetology practitioner license #82-88307) is **REPRIMANDED**.

IT IS ALSO ORDERED that Jennifer R. Stoll shall pay to the Department of Regulation and Licensing a forfeiture of **TWO HUNDRED** dollars (\$200.00).

IT IS FURTHER ORDERED that Jennifer R. Stoll shall pay costs in the amount of **ONE HUNDRED** dollars (\$100.00) in this matter.

All payments shall be submitted within 120 days from the date of this order. Payment shall be made by ***certified check or money order***, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Department Monitor
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935
608-261-7904

IT IS FURTHER ORDERED that in the event Jennifer R. Stoll fails to timely submit any payment of the forfeiture and costs as set forth above, the barbering or cosmetology practitioner license of Jennifer R. Stoll (license #82-88307) **SHALL BE SUSPENDED**, without further notice or hearing, until Jennifer R. Stoll has complied with the terms of this Order.

This Order shall become effective upon the date of its signing.

BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeannie M. Bush
A member of the Board

6/2/08
Date

STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :

JENNIFER R. STOLL,
RESPONDENT.

STIPULATION
LS# 08 _____ BAC

Division of Enforcement Case File Number 06 BAC 076

It is hereby stipulated between Jennifer R. Stoll and Claudia Berry Miran, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Enforcement (06 BAC 076). Ms. Stoll consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Ms. Stoll understands that by the signing of this Stipulation she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.

3. Ms. Stoll is aware of his right to seek legal representation and has been provided an opportunity to obtain legal advice prior to signing this Stipulation.

4. Ms. Stoll agrees to the adoption of the attached Final Decision and Order by the Barbering and Cosmetology Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Ms. Stoll waives all rights to any appeal of the attached order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Barbering and Cosmetology Examining Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Ms. Stoll or her attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Ms. Stoll is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department policy.

8. The Division of Enforcement joins Jennifer R. Stoll in recommending the Barbering and Cosmetology Examining Board adopt this Stipulation and issue the attached Final Decision and Order.

Jennifer R. Stoll

Respondent

7980 South 56th Street

Franklin, Wisconsin 53132

License Number 82-88307

Date

Claudia Berry Miran

Attorney

Division of Enforcement

Post Office Box 8935

Madison, Wisconsin 53708-8935

Date