

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."
The status of an appeal may be found on court access websites at:
<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wsccl>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
COOLCUTS,	:	
RESPONDENT.	:	ORDER 0002028

Division of Enforcement Case No. 10 BAC 080

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Coolcuts
c/o Jumarrow Stanton, Sr
6807 W Hampton Ave.
Milwaukee, WI 53218

Wisconsin Barbering and Cosmetology Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Division of Enforcement
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Barbering and Cosmetology Examining Board (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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Coolcuts is licensed in the State of Wisconsin as a barbering or cosmetology establishment, having license number 37552-80, first issued on 04/29/2010 and expired on 3/31/2011. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 6807 W. Hampton Ave., Milwaukee, WI 53218.

2. On July 20, 2010, Respondent was inspected under the Board's new establishment inspection program. Various cleanliness codes were noted to be violated.

Violations included that licenses were not being posted, the floor was not swept, clean contact equipment was being kept in the open, and there was no blood exposure protocol posted. The owner, Jumarrow Stanton was issued a Notice of Compliance which he failed to return.

3. Amy A. Sims was the manager of Coolcuts from April 2010 to August 2010. Mr. Stanton did not notify the board that Ms. Sims was no longer the manager within 10 days as required.

4. On February 18, 2011, a Department investigator visited Coolcuts. Mr. Stanton told the inspector that Michael Shaffer (license number 32182-81) was the responsible manager but Shaffer was not present at the time of inspection. Mr. Shaffer is also the responsible manager for Elite Studios which is owned by an unrelated party.

5. Mr. Stanton stated that there were four men working there as apprentices including Larry Hanson and Courtney Vaughn and two unidentified men.

6. There are no records of valid apprentice permits issued to Larry Hanson, Courtney Vaughn or anyone else at Respondent Coolcuts.

7. On June 22, 2011, the establishment was again visited by a Department investigator. Shaffer identified himself as the manager. Both Shaffer's license and the establishment license for Coolcuts were expired as of 4/1/2011.

8. There were several men in Coolcuts cutting hair. The investigator was told by Stanton that those men had finished their schooling but had not yet gotten their licenses.

CONCLUSIONS OF LAW

1. The Wisconsin Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.15, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code §§ BC 2.045(1) and BC 3.01 by allowing the practice of barbering or cosmetology outside of a licensed establishment.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 454.08(6) and Wis. Admin. Code §§ BC 2.06(5) and 3.02(1) by not notifying the board that Ms. Sims was no longer the responsible manager and not employing a manager who holds a manager license and works full time in the establishment.

4. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code §§ BC 2.07(2) failure to post licenses, 4.01(1) all areas of an establishment and the equipment used for services shall be maintained in a clean, sanitary and safe condition, 4.02 (4) clean and disinfected contact equipment shall be kept in covered containers, and 4.05 written blood exposure protocol shall be posted in a conspicuous place as noted in the Notice of Violation from the July 20, 2010, inspection.

5. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stats. §§ 454.15(2)(i) and 454.15(3).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation is hereby accepted.
2. The barbering or cosmetology license of Respondent Coolcuts (license no. 37552-80) is hereby SUSPENDED for 10 days starting the date of its renewal.
3. Respondent shall pay a FORFEITURE in the amount of \$2500 and COSTS of this matter in the amount of \$900 pursuant to the following schedule:

October 1, 2012	\$325
November 1, 2012	\$325
December 1, 2012	\$325
January 1, 2013	\$325
February 1, 2013	\$300
March 1, 2013	\$300
April 1, 2013	\$300
May 1, 2013	\$300
June 1, 2013	\$300
July 1, 2013	\$300
August 1, 2013	\$300

4. Payment of forfeiture and costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

Department Monitor
Division of Enforcement
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817, Fax (608) 266-2264

5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the forfeiture and costs as ordered, Respondent's license (no. 37552-80) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the forfeiture and costs.

6. This Order is effective on the date of its signing.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

by:


A Member of the Board

9-10-12
Date