

**STATE OF VERMONT
SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION
BOARD OF BARBERS AND COSMETOLOGISTS**

IN RE:)
LINDSEY L. LACROIX) **Docket No: CO03-0906**
License No. 010-0003820)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, through State Prosecuting Attorney, Robert H. Backus, and Respondent, Lindsey L. LaCroix, who stipulate and agree as follows:

Board Authority

1. The Vermont Board of Barbers and Cosmetologists has jurisdiction to investigate and adjudicate allegations of unprofessional conduct pursuant to 3 V.S.A. §129 and 129a; 26 V.S.A. Chapter 6; the Rules of the Board of Barbers and Cosmetologists ("RBBC"); and the Rules of the Office of Professional Regulation.

Statement of Facts

2. The Respondent, Lindsey L. LaCroix, is licensed as a Cosmetologist by the State of Vermont under license number 010-0003820. This license was originally issued on or about May 14, 2002 and is currently set to expire November 30, 2007.

3. At all relevant times, the Respondent was employed as a cosmetologist and was the designated licensee for Smart Style Family Hair Salon #4678 (the Salon) located in Williston, Vermont.

4. At all relevant times, Kristina A. Weston was employed as a cosmetologist at the Salon.

5. The Secretary of State's records indicate that Ms. Weston's license lapsed on or about December 1, 2005. Ms. Weston did not renew her license until May 2, 2006.

6. Ms. Weston continued to work at the Salon during the time period in which her license was lapsed.

Charges

7. The acts, omissions and/or circumstances described above constitute grounds for discipline because Respondent violated:

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
9 Baldwin Street
Montpelier, VT
05609-1107

i) RBBC Rule 9.2(b) (Shop owners and designated licensees are responsible for ensuring that any person practicing a profession governed by these rules in their shop has a valid license issued by the Board . . .).

Understandings

8. The parties understand that the terms of this Stipulation and Consent Order are contingent upon review and acceptance by the Board and that if the Board rejects any portion the entire Stipulation and Consent Order shall be null and void.
9. The Respondent has read and reviewed this document fully and agrees that it contains the entire agreement between the parties.
10. This Stipulation and Consent Order is entered into voluntarily by the Respondent after the opportunity to consult with legal counsel. The Respondent has not been coerced by anyone into signing this Stipulation and Consent Order.
11. The Respondent is voluntarily waiving her right to a contested hearing before the Board and waives any right to appeal from this Stipulation and Consent Order.
12. Respondent agrees that the State has sufficient evidence for the Board to find that Respondent has engaged in unprofessional conduct and that the Order set forth below may be entered by the Board.

WHEREFORE, the parties agree that the following constitutes a reasonable resolution given the above violations:

CONSENT ORDER

A. Based upon the above stipulation, it is **ORDERED** and **ADJUDGED** as follows:

The Board of Barbers and Cosmetologists hereby **WARNS** the Respondent's license to practice cosmetology. Additionally, **the Respondent shall pay a civil penalty of three hundred dollars (\$300.00)**. This fine shall be paid within ninety (90) days of the date of entry of this Order.

B. This Stipulation and Consent Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. §129(a).

C. This Stipulation and Consent Order will remain part of the Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

AGREED TO:

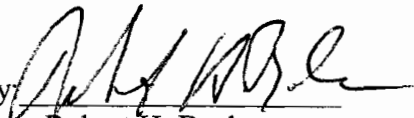
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SECRETARY OF STATE

STATE OF VERMONT




Prosecuting Attorney
Office of
Professional Regulation
9 Baldwin Street
Montpelier, VT
05609-1107

Dated: 11/20/06

By: 
Robert H. Backus
State Prosecuting Attorney

LINDSEY L. LACROIX
RESPONDENT

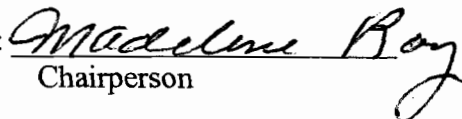
Dated: 11/14/06

By: 
Lindsey L. LaCroix

APPROVED AND SO ORDERED:

VERMONT BOARD OF BARBERS AND
COSMETOLOGISTS

Dated: 11/27/06

By: 
Chairperson

Date of Entry: 11/27/06

co.lacroix.stip

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IN RE:)
LINDSEY L. LACROIX) Docket No: CO03-0906
License No. 010-0003820)

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and makes the following Charges against the Respondent, Lindsey L. LaCroix:

Board Authority

1. The Vermont Board of Barbers and Cosmetologists has jurisdiction to investigate and adjudicate allegations of unprofessional conduct pursuant to 3 V.S.A. §129 and 129a; 26 V.S.A. Chapter 6; the Rules of the Board of Barbers and Cosmetologists ("RBBC"); and the Rules of the Office of Professional Regulation.

Statement of Facts

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5. The Secretary of State's records indicate that Ms. Weston's license lapsed on or about December 1, 2005. Ms. Weston did not renew her license until May 2, 2006.
6. Ms. Weston continued to work at the Salon during the time period in which her license was lapsed.

Charges

7. The acts, omissions and/or circumstances described above constitute grounds for discipline because Respondent violated:
 - i. RBBC Rule 9.2(b) (Shop owners and designated licensees are responsible for ensuring that any person practicing a profession governed by these rules in their shop has a valid license issued by the Board, and has in their possession at all times while

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working a current Vermont photo license or current Vermont state issued photo identification);

ii. 3 V.S.A. § 129a(b)(2) (Failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct. Failure to practice competently includes failure to conform to the essential standards of acceptable and prevailing practice); and

iii. 3 V.S.A. § 129a(a)(3) (Failing to comply with provisions of federal or state statutes or rules governing the practice of the profession).

Relief Requested

WHEREFORE, the license of Lindsey L. LaCroix should be revoked, suspended, reprimanded, conditioned or otherwise disciplined.

DATED at Montpelier, Vermont this 28th day of September 2006.

STATE OF VERMONT
SECRETARY OF STATE

By: 

Robert H. Backus
State Prosecuting Attorney

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