

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

IN RE:)
RITA L. JUTRAS) **Docket No: CO04-1005**
License No. 009-0001760)

STIPULATION AND CONSENT ORDER

NOW COMES the State of Vermont through prosecuting attorney Robert H. Backus and the Respondent, Rita L. Jutras, in person and through counsel, Robert Perry, and enter into the following Stipulation and Consent Order.

Board Authority

1. The Vermont Board of Barbers and Cosmetologists (the Board) 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. Respondent, Rita L. Jutras, is licensed as a Cosmetologist in the State of Vermont under license number 009-0001760. This license was originally issued on or about September 8, 1983 and is currently set to expire on November 30, 2007.
3. At all times relevant, the Respondent owned the Vermont College of Cosmetology (d/b/a The Salon Professional Academy) (the College), located in Williston, Vermont.
4. On or about June 26, 2006, State Inspectors Josephine Thomas and Madeline Roy conducted an inspection of the College. The inspection revealed violations of sanitation and cleanliness requirements, as noted by Inspectors Thomas and Roy.

Charges

5. The above acts, omissions and/or circumstances described above and detailed below, constitute unprofessional conduct in violation of:
- i. RBBC, Part 3., Rule 3.12(B)(1) (General requirements for shops: the shop must have a designated licensee on the premises who is responsible for overall cleanliness and sanitation of the shop. The shop owner is responsible at all times for the overall cleanliness and sanitation of the shop);
 - ii. 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).

STATE OF VERMONT



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9 Baldwin Street
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Understandings

6. 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.
7. The Respondent has read and reviewed this document fully and agrees that it contains the entire agreement between the parties.
8. 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.
9. The Respondent is voluntarily waiving her right to a contested hearing before the Board.
10. 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

Based upon the above stipulation, it is **ORDERED AND ADJUDGED** as follows:

- A. The Respondent has engaged in unprofessional conduct as set out above.
- B. The Board of Barbers and Cosmetologists hereby **REPRIMANDS** the Respondent and imposes a five hundred dollar (\$500.00) administrative penalty to be paid within sixty days of the entry of this order.
- C. 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).
- D. 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.
- E. A violation of this order may be unprofessional conduct and grounds for further disciplinary action.

AGREED TO:

STATE OF VERMONT
SECRETARY OF STATE

STATE OF VERMONT



Prosecuting Attorney
Office of
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9 Baldwin Street
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Dated: 9/14/07

By: *Robert H. Backus*
Robert H. Backus
State Prosecuting Attorney

Dated: 9-4-07

By: *Rita Jutras*
Rita Jutras
Respondent

Dated: 6 SEP 2007

By: *Robert Perry*
Robert Perry
Attorney for Respondent

APPROVED AND SO ORDERED:

VERMONT BOARD OF BARBERS AND
COSMETOLOGISTS

Dated: 9-17-2007

By: *Janice Casson*
Chairperson

Date of Entry: 9-17-2007

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