BEFORE THE IOWA BOARD OF COSMETOLOGY ARTS & SCIENCES

IN THE MATTER OF:

La’James International College,
Iowa City
License No. 00019
and
La’James International College,
Johnston
License No. 00105
and
Cynthia Becher, owner,
License No. 30430
and
Tracy LaDage,
License No. 55629

RESPONDENTS.

CASE NOS. 10-043, 10-054, 11-007, 11-010 and 11-118; 10-099; 13-023; 10-080; 10-087; 14-0018; 11-002; 10-101.

STIPULATION AND CONSENT ORDER

Pursuant to Iowa Code 17A.10 and 272C.3(4) (2013), and 645 Iowa Administrative Code 12.1, the Iowa Board of Cosmetology Arts & Sciences (hereinafter, “Board”) and Cynthia Becher, Tracy LaDage, and La’ James International College (hereinafter, “Respondent”), enter into the following Stipulation and Consent Order settling a disciplinary proceeding pending before the Board. In support of this Stipulation and Consent Order, the Board and Respondent state as follows:

1. Respondent Cynthia Becher was issued Iowa Cosmetology instructor license # 30430, which next expires on March 31, 2016. Respondent Tracy LaDage was issued Iowa Cosmetology instructor’s license #55629, which next expires on March 31, 2016. La’ James International College was issued Iowa Cosmetology school license # 00019.

2. The Board has jurisdiction over the parties and jurisdiction over the subject matter of
these proceedings.

3. On or about April 8, 2013, the Board found probable cause to initiate a case and subsequently issued a Notice of Hearing and Statement of Charges against Respondent.

4. The Notice of Hearing and Statement of Charges contained 10 counts which alleged various sanitation and rule violations.

5. Respondent denies any violations occurred or that any sanctions should be imposed.

6. However, in order to amicably resolve the matter without further expense of litigation, the Board and Respondent agree as follows:

7. **Civil Penalty.**

   On the date of the Board's approval of this Stipulation and Consent Order, Respondent shall be assessed a civil penalty in the amount of $10,000.00, inclusive of fees and costs. The civil penalty shall be paid within thirty (30) days from the Board's approval of this Stipulation and Consent Order, and shall be made payable to the Treasurer of Iowa and mailed to the administrator of the Board, Susan Reynolds, Bureau of Professional Licensure, Lucas State Office Building 5th Floor, 321 E. 12th, Des Moines, Iowa 50319-0075. The civil penalty payment shall be deposited into the State of Iowa general fund. After the expiration of the thirty-day (30) period for payment, no licenses will be granted or renewed until the civil penalties assessed in this paragraph are paid in full.

8. **Quarterly Inspections.**

   Respondent will conduct quarterly, sanitation, self-inspections, at Respondent's sole expense, at all 6 of its Iowa locations for a 12-month period on forms approved by the Board. Copies of the inspections shall be forwarded to the Board's Executive Director on or about
October 7, 2014; January 7, 2015; April 7, 2015; and July 7, 2015. Any deficiencies noted in the inspections shall be immediately corrected, with such corrections noted in the next quarterly inspection report. The 12-month period will begin the date this Stipulation and Consent Order is approved by the Board.

9. **Teaching Logs.**
   
   Respondent shall submit the daily teaching logs required to be kept by Rule 61.22(2) directly to the Board Executive on a quarterly basis for a 12-month period and at the same time as the inspection reports in Paragraph 8 above. The logs should at a minimum indicate the name of the instructor(s), license number of the instructor, the name of the course(s) taught, the length of time, and the number of students taught.

10. **Client and Appointment Records.**
    
    Respondent shall submit the client and appointment records required to be kept by Rule 63.23 directly to the Board Executive on a quarterly basis for a 12-month period and at the same time as the inspection reports in Paragraph 8 above. The records should at a minimum indicate the name of the client, the type of service(s) that were performed, the student(s) that performed them, and the instructor(s) that signed off on the work.

11. **Continuing Education.**
    
    Each School Administrator from each of the six Iowa locations shall take an additional 2 hours of continuing education specific to Iowa Law and Sanitation. The hours must be taken from outside of the La’ James organization and are in addition to the 8 hours required for the current biennium. The hours must be taken within 90 days from the date of this Order and prior to the submission of the first quarterly inspection reports.
12.  **Instructor Audits.**

If they have not already done so, all La James Instructors shall submit proof of completion of 8 hours of continuing education in Teaching Methodology for the previous biennium as required by Rule 64.2(3)(b).

13.  **Distribution and Posting of Agreement.**

Copies of this Stipulation and Consent Order shall be posted at each location in an area available to instructors and staff for 12 months. Copies of this Stipulation and Consent Order shall be distributed to all La James instructors and staff immediately upon Board approval, and written acknowledgment of their review and understanding of the Stipulation and Consent Order shall be obtained by Respondent.

14.  By entering into this Order, Respondent voluntarily waives any right to a contested case hearing on the allegations contained in the Notice of Hearing and Statement of Charges and voluntarily waives any objections to the terms of this Order, including the right to appeal.

15.  This Order is voluntarily submitted by Respondent to the Board for consideration. Respondent agrees that counsel for the State may present this Order to the Board ex parte.

16.  This Order is subject to approval of the Board. If the Board fails to approve this Order it shall be of no force or effect to either party.

17.  This Order shall be part of the Respondent's permanent record and shall be considered by the Board in determining the nature and severity of any discipline to be imposed as a result of future disciplinary proceedings.

18.  In the event Respondent violates or fails to comply with any of the terms of this Order, the Board may initiate action to revoke or suspend Respondent's license or to impose other
licensee discipline in accordance with Iowa Code 272C.3(2).

19. Upon Board approval, this Order shall become a public record available for inspection and copying.

20. This Stipulation and Consent Order resolves all pending cases and complaints against La James currently pending with the Board as of July 7, 2014. Any new deficiencies or complaints filed with the Board against Respondent after July 7, 2014 will be investigated and prosecuted separately.
21. This Stipulation and Consent Order only resolves the dispute between Respondent and the Board and no other parties.

22. The Board's approval of this Order shall constitute a FINAL ORDER.

This Stipulation and Consent Order is voluntarily submitted by Respondent to the Board for its consideration on the 3rd day of July, 2014.

[Signature]
RESPONDENT

Subscribed and sworn to before me by the above individuals on this 3rd day of July, 2014.

[Signature]
CONNIE L. WITTMEUS
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

This Stipulation and Consent Order is accepted by the Iowa Board of Cosmetology Arts & Sciences on the 9th day of July, 2014.

[Signature]
CHAIRPERSON, BOARD OF COSMETOLOGY ARTS & SCIENCES

cc:
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