

**BEFORE THE MISSOURI
STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS**

STATE BOARD OF COSMETOLOGY)	
AND BARBER EXAMINERS,)	
)	
Petitioner,)	
)	License number: 2009013363
v.)	
)	
LASHANDA CHAPMAN, OWNER,)	
A WOMAN'S GLORY,)	
)	
Respondent.)	

**ORDER OF THE MISSOURI
STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS
DISCIPLINING THE CROSSOVER ESTABLISHMENT LICENSE OF
LASHANDA CHAPMAN, OWNER OF A WOMAN'S GLORY**

On or about June 9, 2009, the Board of Cosmetology and Barber Examiners ("Board"), in lieu of denial, issued Lashanda Chapman, owner of A Woman's Glory ("Salon"), a crossover establishment license (license number 2009013363) subject to three years probation as set out in the Order of the Missouri Board of Cosmetology and Barber Examiners Issuing a Probationary Crossover Establishment License to A Woman's Glory, Owner Lashandra Chapman ("Probation Order").¹

On November 8, 2010, at approximately 3:00 p.m., the Board held a hearing pursuant to notice and § 621.110 and § 324.042, RSMo 2000, at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri 65102, for the purpose of determining whether there had been violation(s) of the probationary terms set forth in the Probation Order.

¹ The title and portions of the body of the Probation Order incorrectly refer to Respondent as Lashandra Chapman. However, other references to Respondent throughout the record are to Lashanda Chapman (with no "r"), including the caption of the Probation Order and the Probation Violation Complaint filed in this case.

The Board was represented by Legal Counsel Tina Crow Halcomb. Respondent received proper notice and opportunity to appear and appeared in person without legal counsel. After being present and considering all of the evidence presented during the hearing, the Board issues the following Findings of Facts, Conclusions of Law and Order.

Based upon the foregoing the Board hereby states:

I.

FINDINGS OF FACT

1. The Board is an agency of the state of Missouri created and established pursuant to § 329.015, RSMo Cum. Supp. 2009, for the purpose of licensing all persons engaged in the practice of barbering and cosmetology in this state. The Board has control and supervision of the licensed occupations and enforcement of the terms and provisions of Chapters 328 and 329, RSMo.²

2. Respondent, Lashanda Chapman, is a natural person and is the owner of A Woman's Glory, located at 6000 West Florissant, St. Louis, Missouri, 63136.

3. Respondent holds a crossover establishment license issued by the Board, license number 2009013363.

4. On or about June 9, 2009, the Board issued a Probation Order issuing the Salon a crossover establishment license (license number 2009013363) subject to three years probation.

5. During the probationary period set out in the Probation Order, the Salon was entitled to operate as a crossover establishment under Chapters 328 and 329, RSMo and 20 CSR 2085-13.060, provided the Salon adhered to all of the terms and conditions of the respective Probation Order.

² Unless otherwise specified, all statutory references are to the Revised Statutes of Missouri (RSMo) 2000, as amended.

6. The Probation Order states, on page 5, section IV.A, as a term and condition, that Respondent "shall comply with all provisions of Chapter 329, RSMo (as amended), all applicable board regulations, all applicable federal and state drug laws, rules and regulations and all applicable federal and state criminal laws."

7. The Probation Order also states, on page 5, section IV.C, as a term and condition, that Respondent "shall timely renew its establishment license granted hereby and shall timely pay all fees required for licensure and comply with all other Board requirements necessary to maintain said license in a current and active state."

8. The Probation Order further states, on page 5, section IV.F, as a term and condition, that Respondent "shall submit written reports to the Board on or before January 1 and July 1 during each year of the probationary period stating truthfully whether there has been compliance with all terms and conditions of this Order. The first such report shall be received by the Board on or before July 1, 2009."

9. The Probation order further provides, on page 6, section IV.H, that the Board retains jurisdiction to hold a hearing at any time to determine whether a violation of the Probation Order has occurred and if so, whether to impose further discipline.

10. Respondent failed to submit a written probation compliance report to the Board on or before July 1, 2009 as required in the Probation Order. On or about August 10, 2009, Respondent was sent a notice of violation from the Board due to this violation. Respondent testified that she may not have sent the July 2009 letter but she was not sure. Respondent submitted written probation compliance reports for January 2010 and July 2010.

It is unlawful for any person in this state to engage in the occupation of cosmetology or to operate an establishment or school of cosmetology, unless such person has first obtained a license as provided by this chapter.

18. Section 329.045.1, provides:

Every establishment in which the occupation of cosmetology is practiced shall be required to obtain a license from the board. Every establishment required to be licensed shall pay to the board an establishment fee for the first three licensed cosmetologists esthetician and/or manicurists, and/or apprentices and an additional fee for each additional licensee. The fee shall be due and payable on the renewal date and, if the fee remains unpaid thereafter, there shall be a late fee in addition to the regular establishment fee or, if a new establishment opens any time during the licensing period and does not register before opening, there shall be a delinquent fee in addition to the regular establishment fee. The license shall be kept posted in plain view within the establishment at all times.

19. Section 329.120, provides:

The holder of a license issued by the board who continues in active practice or occupation shall on or before the license renewal date renew the holder's license and pay the renewal fee. A license which has not been renewed prior to the renewal date shall expire on the renewal date. The holder of an expired license may have the license restored within two years of the date of expiration without examination, upon the payment of a delinquent fee in addition to the renewal fee.

20. By failing to submit timely probation compliance reports as required in the Probation Order, Respondent violated the Probation Order. Accordingly, Respondent's crossover establishment license is subject to further discipline by the Board.

21. By offering or providing cosmetology or barber services in the Salon while the Salon establishment license was expired due to non-renewal, Respondent violated §§ 329.045 and 329.120, and the Probation Order. Accordingly, Respondent's cosmetology establishment license is subject to further discipline by the Board.

22. As a result of the foregoing, Respondent's cosmetology establishment license is subject to further disciplinary action by the Board pursuant to § 324.042, RSMo.

23. The Board has determined that this Order is necessary to ensure the protection of the public.

III.

ORDER

Having fully considered all the evidence before the Board, it is the **ORDER** of the Board that the crossover establishment license of Lashanda Chapman, owner of A Woman's Glory (license number 2009013363) is hereby **SUSPENDED** for fourteen (14) calendar days effective as of the date of this Order. Lashanda Chapman, owner of A Woman's Glory, shall immediately return her crossover establishment license (license number 2009013363), and any other indicia of such licensure to the Board.

Following this suspension, the crossover establishment license shall be placed on **PROBATION** for an additional two (2) years beyond the three (3) years imposed by the Board in its June 9, 2009 Probation Order. Accordingly, the crossover establishment license shall be subject to probation for a total of five (5) years (beginning June 9, 2009). This probation period shall be subject to the terms and conditions set forth below.

IV.

TERMS AND CONDITIONS

During the aforementioned probation, Lashanda Chapman, owner of A Woman's Glory, shall be entitled to a crossover establishment license subject to the following terms and conditions:

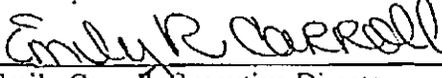
- A. Respondent shall comply with all provisions of Chapters 328 and 329, RSMo (as amended), all applicable board regulations, all applicable federal and state drug laws, rules and regulations and all applicable federal and state criminal laws. "State" includes the state of Missouri, all other states and territories of the United States, and the ordinances of their political subdivisions.

- B. Respondent shall keep the Board informed of its current work telephone number and Respondent shall keep the Board informed of her current home telephone number. Respondent shall notify the Board in writing within ten (10) days of any change in this information.
- C. Respondent shall timely renew her establishment license granted hereby and shall timely pay all fees required for licensure and comply with all other Board requirements necessary to maintain said license in a current and active state.
- D. Respondent shall accept and comply with unannounced visits from the Board's representatives to monitor compliance with the terms and conditions of this Order.
- E. Respondent shall appear in person for interviews with the Board or its designee upon request.
- F. Respondent shall submit written reports to the Board on or before January 1 and July 1 during each year of the probationary period stating truthfully whether there has been compliance with all terms and conditions of this Order.
- G. If, at any time during the probationary period, Respondent changes her address from the state of Missouri, or ceases to maintain her establishment license current or active under the provisions of Chapters 328 and 329, RSMo (as amended), or fails to keep the Board advised of all current places of residence, the time of such absence, unlicensed or inactive status, or unknown whereabouts shall not be deemed or taken to satisfy any part of the probationary period.
- H. The Board retains jurisdiction to hold a hearing at any time to determine if a violation of this Order has occurred and, if a violation of this Order has occurred, may seek to amend this Order or impose further disciplinary or appropriate action at the discretion of the Board. No order shall be entered by the Board pursuant to this paragraph without the required notice and opportunity for a hearing before the Board as provided by Chapter 536, RSMo (as amended).
- I. Unless otherwise specified by the Board, all reports, documentation, notices, or other materials required to be submitted to the Board shall be forwarded to: Missouri State Board of Cosmetology and Barber Examiners, P. O. Box 1335, Jefferson City, Missouri 65102.
- J. Any failure by Respondent to comply with any condition of discipline set forth herein constitutes a violation of this Order.

The Board will maintain this Order as an open and public record of the Board as provided in Chapters 328, 329, 610 and 324, RSMo (as amended).

SO ORDERED, EFFECTIVE THIS 15 DAY OF December, 2010.

MISSOURI STATE BOARD OF COSMETOLOGY
AND BARBER EXAMINERS



Emily Carroll, Executive Director