

HB4641



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4641

by Rep. Elizabeth Coulson

SYNOPSIS AS INTRODUCED:

225 ILCS 410/3B-13

Amends the Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985. In a provision concerning school refund policies, removes a reference to the National Accrediting Commission of Cosmetology Arts and Sciences.

LRB095 16643 RAS 42674 b

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Barber, Cosmetology, Esthetics, and Nail
5 Technology Act of 1985 is amended by changing Section 3B-13 as
6 follows:

7 (225 ILCS 410/3B-13)

8 (Section scheduled to be repealed on January 1, 2016)

9 Sec. 3B-13. Rules; refunds. Schools regulated under this
10 Section shall issue refunds based on the following schedule.
11 The refund policy shall provide that:

12 (1) Schools shall, when a student gives written notice
13 of cancellation, provide a refund in the amount of at least
14 the following:

15 (a) When notice of cancellation is given within 5
16 days after the date of enrollment, all application and
17 registration fees, tuition, and any other charges
18 shall be refunded to the student.

19 (b) When notice of cancellation is given after the
20 fifth day following enrollment but before the
21 completion of the student's first day of class
22 attendance, the school may retain no more than the
23 application and registration fee, plus the cost of any

1 books or materials which have been provided by the
2 school and retained by the student.

3 (c) When notice of cancellation is given after the
4 student's completion of the first day of class
5 attendance but prior to the student's completion of 5%
6 of the course of instruction, the school may retain the
7 application and registration fee and an amount not to
8 exceed 10% of the tuition and other instructional
9 charges or \$300, whichever is less, plus the cost of
10 any books or materials which have been provided by the
11 school.

12 (d) When a student has completed 5% or more of the
13 course of instruction, the school may retain the
14 application and registration fee and the cost of any
15 books or materials which have been provided by the
16 school but shall refund a part of the tuition and other
17 instructional charges in accordance with the ~~National~~
18 ~~Accrediting Commission of Cosmetology Arts and~~
19 ~~Sciences~~ and rules that the Department shall
20 promulgate for purposes of this Section.

21 (2) Applicants not accepted by the school shall receive
22 a refund of all tuition and fees paid.

23 (3) Application and registration fees shall be
24 chargeable at initial enrollment and shall not exceed \$100.

25 (4) Deposits or down payments shall become part of the
26 tuition.

1 (5) The school shall mail a written acknowledgement of
2 a student's cancellation or written withdrawal to the
3 student within 15 calendar days of the date of
4 notification. Written acknowledgement is not necessary if
5 a refund has been mailed to the student within the 15
6 calendar days.

7 (6) If the school cancels or discontinues a course, the
8 student shall be entitled to receive from the school such
9 refund or partial refund of the tuition, fees, and other
10 charges paid by the student or on behalf of the student as
11 is provided under rules promulgated by the Department.

12 (7) Except as otherwise provided by this Act, all
13 student refunds shall be made by the school within 45
14 calendar days after the date of notice of the student's
15 cancellation or the date that the school determines that
16 the student has officially or unofficially withdrawn.

17 (8) A student shall give notice of cancellation to the
18 school in writing. The unexplained absence of a student
19 from a school for more than 30 consecutive calendar days
20 shall constitute constructive notice of cancellation to
21 the school. For purposes of cancellation, the cancellation
22 date shall be the last day of attendance.

23 (9) A school may make refunds which exceed those
24 required by this Section.

25 (10) Each student and former student shall be entitled
26 to receive from the school that the student attends or

1 attended an official transcript of all hours completed by
2 the student at that school for which the applicable
3 tuition, fees, and other charges have been paid, together
4 with the grades earned by the student for those hours,
5 provided that a student who withdraws from or drops out of
6 a school, by written notice of cancellation or otherwise,
7 shall not be entitled to any transcript of completed hours
8 following the expiration of the 7-year period that began on
9 the student's first day of attendance at the school. A
10 reasonable fee, not exceeding \$2, may be charged by the
11 school for each transcript after the first free transcript
12 that the school is required to provide to a student or
13 former student under this Section.

14 (Source: P.A. 94-451, eff. 12-31-05; 95-343, eff. 1-1-08.)