

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8 (Section scheduled to be repealed on January 1, 2016)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 of
13 cancellation, provide a refund in the amount of at least the
14 following:

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

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

1 provided by the school and retained by the student.

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

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

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

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

23 (4) Deposits or down payments shall become part of the
24 tuition.

25 (5) The school shall mail a written acknowledgement of a
26 student's cancellation or written withdrawal to the student

1 within 15 calendar days of the date of notification. Written
2 acknowledgement is not necessary if a refund has been mailed to
3 the student within the 15 calendar days.

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

9 (7) Except as otherwise provided by this Act, all student
10 refunds shall be made by the school within 45 ~~30~~ calendar days
11 after ~~from~~ the date of notice of the student's cancellation or
12 the date that the school determines that the student has
13 officially or unofficially withdrawn.

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

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

22 (10) Each student and former student shall be entitled to
23 receive from the school that the student attends or attended an
24 official transcript of all hours completed by the student at
25 that school for which the applicable tuition, fees, and other
26 charges have been paid, together with the grades earned by the

1 student for those hours, provided that a student who withdraws
2 from or drops out of a school, by written notice of
3 cancellation or otherwise, shall not be entitled to any
4 transcript of completed hours following the expiration of the
5 7-year period that began on the student's first day of
6 attendance at the school. A reasonable fee, not exceeding \$2,
7 may be charged by the school for each transcript after the
8 first free transcript that the school is required to provide to
9 a student or former student under this Section.

10 (Source: P.A. 94-451, eff. 12-31-05.)