

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Demetrius J. Atsalis

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act regulating the licensing of cosmetology schools.

PETITION OF:

NAME: Demetrius J. Atsalis	DISTRICT/ADDRESS: Second Barnstable
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[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 200 OF 2007-2008.]

The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine
—————

AN ACT REGULATING THE LICENSING OF COSMETOLOGY SCHOOLS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 112 of the General Laws, as appearing in the 2006 Official
2 Edition, is hereby amended by inserting after section 87BB the following section:—
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4 87BB½ Refund Policy: The condition of licensure each school must maintain a
5 cancellation and settlement policy that must provide a full refund of monies paid by a
6 student receiving federal, state, private funds if:
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10 (1) the student cancels the enrollment agreement or contract within 72 hours (until
11 midnight of the third day excluding Saturdays, Sundays, and legal holidays) after the
12 enrollment contract is signed by the prospective student; or
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16 (2) the enrollment of the student was procured as the result of any
17 misrepresentation in advertising, promotional materials of the school, or representation
18 by the owners or representatives of the school.
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22 In addition, as a condition of licensure, each school must maintain a policy for the
23 refund of the unused portion of tuition, fees, and other charges in the event the student,
24 after expiration of the 72 hour cancellation privilege, fails to enter the course, withdraws,
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29 or is discontinued at any time prior to completion.

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31 If tuition and fees are collected in advance of a student's participation in a course,
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33 and if, after expiration of the 72 hour cancellation privilege, the student does not enter the
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35 school, not more than \$100.00 shall be retained by the school.

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37 A Student who enrolls in a school program, and if, after expiration of the 72 hour
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39 cancellation privilege, the student withdraws from the school, the school may retain \$100
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41 of tuition and fees and the student is eligible to receive a refund of the remaining tuition
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43 and fees in the following manner:

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45 (1.) During the first week or one-tenth of the course, whichever is less, ninety
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47 percent of the remaining tuition and fees;

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49 (2.) After the first week or one-tenth of the course, whichever is less, but within
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51 the first three weeks of the course, eighty percent of the remaining tuition and fees;

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53 (3.) After the first three weeks of the course, but within the first quarter of the
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55 course, seventy-five percent of the remaining tuition and fees;

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57 (4.) During the second quarter of the course, fifty percent of the remaining tuition
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59 and fees;

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61 (5.) During the third quarter of the course, ten percent of the remaining tuition and
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63 fees; and

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66 (6.) During the last quarter of the course, the student may be considered obligated
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68 for the full amount of the tuition and fees;

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72 Refunds of items of extra expense to the students, such as instructional supplies,
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74 books, student activities, laboratory fees, service charges rentals, deposits, and all such
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76 other miscellaneous charges will be made in a reasonable manner acceptable to the
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78 Board.

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80 The effective date of the termination for refund purposes will be the earliest of the
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82 following:

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84 (1.) the last date of attendance, if the student is terminated by the school;
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86 (2.) the date of receipt of written notice from the student; or
87 (3.) ten school days following the last date of attendance.
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89 All refunds will be made within sixty days.
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