



Sen. Debbie DeFrancesco Halvorson

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09500SB0280sam001

LRB095 08373 RAS 31702 a

1 AMENDMENT TO SENATE BILL 280

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 280 by replacing  
3 everything after the enacting clause with the following:

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8 (Section scheduled to be repealed on January 1, 2016)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

1 registration fees, tuition, and any other charges shall be  
2 refunded to the student.

3 (b) When notice of cancellation is given after the  
4 fifth day following enrollment but before the completion of  
5 the student's first day of class attendance, the school may  
6 retain no more than the application and registration fee,  
7 plus the cost of any books or materials which have been  
8 provided by the school and retained by the student.

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

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

26 (2) Applicants not accepted by the school shall receive a

1 refund of all tuition and fees paid.

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

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

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

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

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

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

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

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

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