

**HOUSE . . . . . No. 218**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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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:—

3 87BB½ Refund Policy: The condition of licensure each school must maintain a  
4 cancellation and settlement policy that must provide a full refund of monies paid by a student  
5 receiving federal, state, private funds if:

6  
7 (1) the student cancels the enrollment agreement or contract within 72 hours (until  
8 midnight of the third day excluding Saturdays, Sundays, and legal holidays) after the enrollment  
9 contract is signed by the prospective student; or

10 (2) the enrollment of the student was procured as the result of any  
11 misrepresentation in advertising, promotional materials of the school, or representation by the  
12 owners or representatives of the school.

13                    In addition, as a condition of licensure, each school must maintain a policy for the  
14 refund of the unused portion of tuition, fees, and other charges in the event the student, after  
15 expiration of the 72 hour cancellation privilege, fails to enter the course, withdraws, or is  
16 discontinued at any time prior to completion.

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

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

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

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

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

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

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

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

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

39 The effective date of the termination for refund purposes will be the earliest of  
40 the following:

41 (1.) the last date of attendance, if the student is terminated by the school;

42 (2.) the date of receipt of written notice from the student; or

43 (3.) ten school days following the last date of attendance.

44 All refunds will be made within sixty days.