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CERTIFICATE

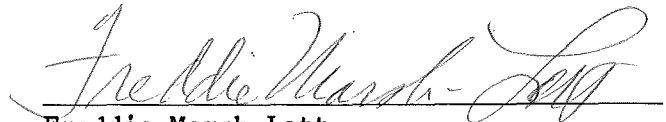
STATE OF WISCONSIN)
)
DEPARTMENT OF REGULATION AND LICENSING) SS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Freddie Marsh-Lott, Director of the Bureau of Business and Design Professions, and custodian of the official records of the Bureau, do hereby certify that the annexed rules, relating to refund policies for cosmetology schools and credit for prior related training, were duly approved and adopted by the Cosmetology Examining Board on June 1, 1988.

I further certify that said copy has been compared to me with the original on file in this board and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin, this 30 day of August, A.D. 1988.



Freddie Marsh-Lott
Director, Bureau of Business and Design Professions
Department of Regulation & Licensing

JOH:gad
TENDAY-1284

STATE OF WISCONSIN
COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF RULEMAKING	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	COSMETOLOGY EXAMINING BOARD
COSMETOLOGY EXAMINING BOARD	:	ADOPTING RULES
	:	CLEARINGHOUSE 88-31

ORDER

An order to repeal and recreate C 2.05; and to create 2.12(4) and 3.03(4), relating to refund policies for cosmetology schools and credit for prior related training.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutory authority: ss. 158.08(5)(b), 227.11(2)(a), 458.03(1), Stats.
Statute interpreted: ss. 458.02(3), (4), Stats.

In this order the proposed rule repeals and recreates the rule section which sets minimum refund standards for cosmetology schools. Under the current rule, a student who withdraws or is dismissed after the second month of class is not entitled to a refund. The proposed rule requires schools to make refunds to a student until a student completes at least 50 percent of the course in which the student is enrolled.

Section 2.05(2) states that a student will receive a full refund if the student cancels the enrollment agreement within 3 business days after he or she is notified of acceptance to the school or if the student was not qualified or if the student's acceptance was the result of misrepresentations made by the student or his or her agent.

Section 2.05(3) addresses when a student can get a partial refund. If a student leaves school before classes begin, then he or she will be charged no more than 15 percent of the cost of instruction or \$100.00 which ever is less. If the student leaves after the classes begin, a schedule is applied to determine the charge against the student.

Also, the student shall be reimbursed for cost of unused equipment if within 15 days of leaving the school he or she tenders the equipment.

If a school closes the student shall receive a prorated refund of the total cost of the course of instruction.

The school must tender any refunds within 30 days of the student's departure.

Section 2.14(4) provides that a school shall grant credit to someone who has had barber training. Also, the individual must complete at least 60 hours of instruction in manicuring.

Section 3.03(4) states that the board shall give credit to an individual who is a licensed barber and shall require the individual to complete at least 200 hours of apprenticeship in manicuring.

TEXT OF RULE

SECTION 1. C 2.05 is repealed and recreated to read:

C 2.05 REFUND POLICY.

(1) DEFINITIONS. In this section:

(a) "Business day" has the meaning specified in s. 421.301(6), Stats.

(b) "Class day" means any day on which instruction is provided by the school and the student is scheduled to attend. Holidays, scheduled vacation periods, other days on which instruction is not provided by the school, and periods for which the student is granted a leave of absence are not class days.

(c) "Total cost of the course of instruction" means the sum of all charges made by the school for tuition, books, materials, supplies and any other charges made by the school which are required to be paid by the student as the result of enrollment in a specific course of instruction. Room and board charges shall be included in the total cost of the course of instruction only if the school requires the student to utilize room or board facilities provided by the school.

(2) FULL REFUND. A school's refund policy shall provide for a full refund of all money paid by the student if:

(a) The student cancels the enrollment agreement or enrollment application within 3 business days after receipt of notice of acceptance from the school,

(b) The student accepted was unqualified or

(c) The student's enrollment was procured as the result of any written or oral misrepresentations made by the school or its agents.

(3) PARTIAL REFUND. (a) In this subsection, "percentage of enrollment time" means the number of class days elapsed from the start of the student's attendance until the student's last date of attendance divided by the total number of class days required to complete the course of instruction.

(b) If, for any reason, a student withdraws or is dismissed by the school prior to the commencement of classes, the charge may not exceed 15 percent of the total cost of the course of instruction or \$100.00 whichever is less.

(c) If, for any reason, a student withdraws or is dismissed by the school after the commencement of classes, the school's refund policy may not permit any charge to the student which exceeds \$150.00 plus the amount shown in Table C 2.05(3) but in no case may the charge exceed the total cost of the course of instruction.

TABLE C 2.05(3)
PARTIAL REFUND

PERCENTAGE OF ENROLLMENT TIME		MAXIMUM PERCENTAGE OF TOTAL COST OF COURSE OF INSTRUCTION THAT MAY BE CHARGED
GREATER THAN	LESS THAN OR EQUAL TO	
0%	5%	20%
5	10	30
10	15	40
15	25	45
25	50	70
50	100	100

NOTE: Schools are encouraged to adopt a policy wherein the refund to the student may exceed the amounts set forth above when mitigating circumstances are in evidence.

(4) EQUIPMENT FEES. A school shall reimburse the cost of the unused equipment or supplies that a student was required to purchase as a condition of enrollment or continued participation in the course of instruction to a student who for any reason withdraws or is dismissed by the school and who within 15 days of withdrawal or dismissal tenders for reimbursement the equipment and supplies in their original condition.

(5) SCHOOL CLOSING. If a school is closed and no longer offering instruction after a student is enrolled, the student shall be entitled to a pro rata refund of total cost for the course of instruction such as lab and equipment fees.

(6) REFUND DEADLINE. The school shall make any refunds due to the student within 30 days of the date the school dismisses the student or receives notice of withdrawal, or of the school closing.

SECTION 2. C 2.12(4) is created to read:

C 2.12(4) A school shall grant hour-for-hour credit to an individual who has had training in barbering and shall require the individual to complete at least 60 hours of instruction in manicuring including 30 hours of practical class instruction and 30 patron assignments. The school may require additional hours to ensure minimum competence.

SECTION 3. C 3.03(4) is created to read:

C 3.03(4) The board shall grant hour-for-hour credit to an individual who has a license as a barber and shall require the individual to complete at least 200 hours of apprenticeship in manicuring. The 200 hours shall include 70 hours of theory, 70 hours of classroom training and 80 practical assignments. The manager under whom the apprentice trains may require additional hours to ensure minimum competency.

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22(2)(intro.), Stats.

Dated

8/30/88

Agency

Claudia Berry Moran

Chairperson

Cosmetology Examining Board

JOH:gad
RULES-43
8/30/88