

# PROFESSIONAL SCHOOL OF BARTENDING

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Dear Mr. Dick,

Since I will not be able to attend the listening session relative to proposed regulations at 230 CMR 12.00 - 17.00. I am sending you my confusions, concerns and comments.

1. 13.02: School Application Process, (h), page 6

I do not understand why the Department is requiring schools to conduct a CORI on instructors and staff. The schools are not dealing with those under 18 years of age or those that are mentally handicapped, deficient or impaired. The Department is not giving guidelines on who should not be hired if something is reported on the CORI. The cost of **each** CORI is \$25.00 which therefore appears to be an additional fee that is being added to the cost of doing business in the Commonwealth without any reason.

Does the Commonwealth require this fee for other businesses?

2. 15.04: Enrollment Contracts and Students Refunds (8) page 20

Since there is mechanism in place for the student to withdraw from the program according to the contract that schools are required to use by the Commonwealth, why must a school issue a refund to a legal adult who chooses to be irresponsible and undisciplined and not commit to a signed contract.

This is an unfair burden and expense to put on the schools. Now it is my responsibility to make sure an adult shows up to school! Do I go to their house and wake them up? Do I send a car service for them? If not I must **reward** them for their irresponsibility by taking my time to figure out their refund.

Are other businesses in the Commonwealth required to issue such refunds after a contract is signed? If a student stops showing up for classes at the University of Massachusetts does the Commonwealth issue a refund? If I sign my child up for a

camp session and decide not to send her after a few days and do not notify the camp, would I be entitled to a refund? If I rent a hotel room for 5 days but don't return after 2 and never notify the hotel would I be entitled to a refund?...and the list of examples can go on.

Since 1977, I have offered on "open-door policy" meaning that once a student has paid the tuition they are free to return to retake the program at no charge, would this section apply to me?

I just want to remind the Department that our student base are considered legal adults of various ages with the right to vote, join the military, apply for credit cards, car loans, mortgages, buy lottery tickets, get tattoos, etc. Why does the Department feel that when an adult chooses to attend a trade school (a mature decision and very often a positive life changing one), instead of a college, the adult is no longer a capable one.

I am a great supporter of consumer protection and rights but the students already have many resources available to protect them.

It already costs me more than \$1200.00 to have my accountant prepare the paperwork for the state auditor. I need to tie up money in a CD for my surety and cannot even take out the earned interest without your permission. Now your office wants to require me to spend \$25.00 per employee each year for a CORI report and take my office resources to issue refunds to adults who the Commonwealth feels are incompetent to withdraw according to the terms of a contract.

In your attempt to protect the consumer you are putting too many financial burdens and responsibilities on the schools. As a result, smaller schools may be forced to close their doors. Resulting in lost revenue and jobs in the Commonwealth and forcing students to attend trade schools in other states.

Sincerely,

Ellen Girard, Director