SYNOPSIS
Establishes limits on transcript release restrictions at institutions of higher education and certain proprietary institutions.

CURRENT VERSION OF TEXT
As reported by the Assembly Higher Education Committee on October 13, 2022, with amendments.

(Sponsorship Updated As Of: 12/15/2022)
AN ACT concerning the withholding of student transcripts by institutions of higher education and certain proprietary institutions and supplementing Title 18A of the New Jersey Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. As used in this act:

“Debt” means any money, obligation, claim, or sum, due or owing, or alleged to be due or owing, from a current or former student, but does not include the fee, if any, charged to all students for the actual costs of providing the transcripts; and

“Institution” means an institution of higher education or proprietary institution licensed to offer academic degrees, and

“Non-mandatory charges” means all charges and fees imposed by an institution on a student other than tuition, room and board, and mandatory student fees and charges, as defined by the Secretary of Higher Education.

2. a. [An] Except as otherwise provided in subsection c. of this section, if a current or former student requests a transcript for purposes of transfer to another institution, application for enrollment in a graduate degree program, or for employment including internships, fellowships, certifications, licensures, and special programs, an institution shall not, due to an outstanding balance on a current or former student’s account of $2,000 or less of non-mandatory charges:

i. refuse to provide a transcript for a current or former student on the grounds that the student owes a debt;

ii. condition the provision of a transcript on the payment of a debt, other than a fee charged to provide the transcript;

iii. charge a higher fee for obtaining a transcript, or provide less favorable treatment of a transcript request because a current or former student owes a debt; or

iv. use transcript issuance as a tool for debt collection.

b. Except as otherwise provided in subsection c. of this section, an institution may condition the provision of a transcript to a student on the student’s agreement to enter into a good faith repayment plan and submission of the first payment on that plan if the student owes the institution:

i. debt in any amount for unpaid tuition, room and board, or other mandatory student fees or charges; or

ii. debt exceeding $2,000 from non-mandatory charges.

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

Assembly AHI committee amendments adopted October 13, 2022.
c. Notwithstanding the provisions of subsections a. and b. of this section to the contrary, an institution shall not restrict or condition the provision of a transcript to a student who attests that the transcript is needed to apply for new student loans or to refinance existing student loans.

d. A violation by an institution of the requirements of this section shall constitute an unlawful practice under P.L.1960, c.39 (C.56:8-1 et seq.), and shall be subject to all remedies and penalties available pursuant to the provisions of that act.

e. The provisions of this act shall not apply to an institution’s provision of transcripts to students who reside outside of the United States.

3. This act shall take effect immediately.