

[First Reprint]

ASSEMBLY, No. 1198

STATE OF NEW JERSEY
220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

Sponsored by:

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District 27 (Essex and Morris)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

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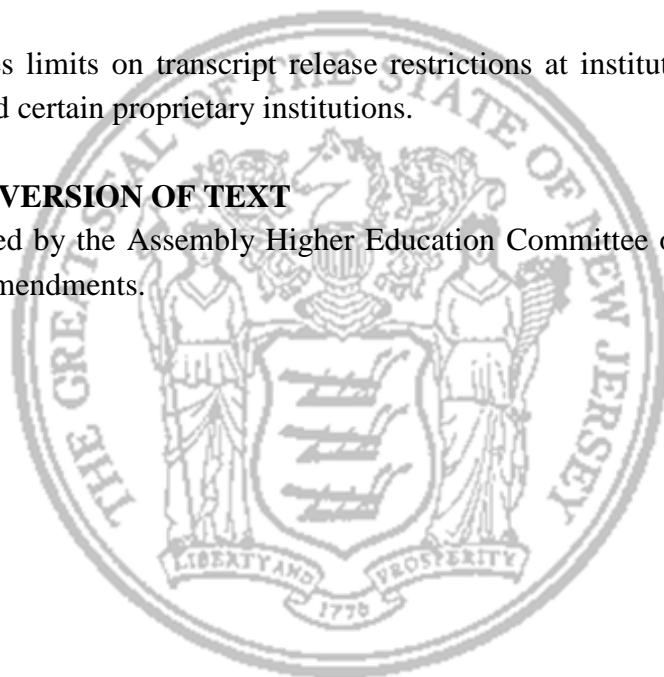
**Assemblyman Wimberly, Assemblywomen Chaparro, Carter,
Assemblyman Conaway, Assemblywoman Lampitt, Assemblyman Stanley,
Assemblywoman Speight, Assemblyman Spearman and Assemblywoman
Lopez**

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)

1 AN ACT concerning the withholding of student transcripts by
2 institutions of higher education and certain proprietary
3 institutions and supplementing Title 18A of the New Jersey
4 Statutes.

5

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

8

9 1. As used in this act:

10 “Debt” means any money, obligation, claim, or sum, due or
11 owing, or alleged to be due or owing, from a current or former
12 student, but does not include the fee, if any, charged to all students
13 for the actual costs of providing the transcripts; ¹**[and]**¹

14 “Institution” means an institution of higher education or
15 proprietary institution licensed to offer academic degrees ¹; and

16 “Non-mandatory charges” means all charges and fees imposed by
17 an institution on a student other than tuition, room and board, and
18 mandatory student fees and charges, as defined by the Secretary of
19 Higher Education¹.

20

21 2. ¹a. **[An]** Except as otherwise provided in subsection c. of this
22 section, if a current or former student requests a transcript for purposes
23 of transfer to another institution, application for enrollment in a
24 graduate degree program, or for employment including internships,
25 fellowships, certifications, licensures, and special programs, an¹
26 institution shall not, due to an outstanding balance on a current or
27 former student’s account ¹of \$2,000 or less of non-mandatory
28 charges¹:

29 ¹**[a.]** (1)¹ refuse to provide a transcript for a current or former
30 student on the grounds that the student owes a debt;

31 ¹**[b.]** (2)¹ condition the provision of a transcript on the payment
32 of a debt, other than a fee charged to provide the transcript;

33 ¹**[c.]** (3)¹ charge a higher fee for obtaining a transcript, or
34 provide less favorable treatment of a transcript request because a
35 current or former student owes a debt; or

36 ¹**[d.]** (4)¹ use transcript issuance as a tool for debt collection.

37 ¹b. Except as otherwise provided in subsection c. of this section,
38 an institution may condition the provision of a transcript to a student
39 on the student’s agreement to enter into a good faith repayment plan
40 and submission of the first payment on that plan if the student owes
41 the institution:

42 (1) debt in any amount for unpaid tuition, room and board, or
43 other mandatory student fees or charges; or

44 (2) 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:

¹Assembly AHI committee amendments adopted October 13, 2022.

- 1 c. Notwithstanding the provisions of subsections a. and b. of this
2 section to the contrary, an institution shall not restrict or condition the
3 provision of a transcript to a student who attests that the transcript is
4 needed to apply for new student loans or to refinance existing student
5 loans.
- 6 d. A violation by an institution of the requirements of this
7 section shall constitute an unlawful practice under P.L.1960, c.39
8 (C.56:8-1 et seq.), and shall be subject to all remedies and penalties
9 available pursuant to the provisions of that act.
- 10 e. The provisions of this act shall not apply to an institution's
11 provision of transcripts to students who reside outside of the United
12 States.¹
- 13
- 14 3. This act shall take effect immediately.