

SENATE, No. 3280

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MAY 16, 2024

Sponsored by:

Senator ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



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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.

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

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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;

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

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21 2. a. 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, an
26 institution shall not, due to an outstanding balance on a current or
27 former student’s account of \$2,000 or less of non-mandatory charges:

28 (1) refuse to provide a transcript for a current or former student
29 on the grounds that the student owes a debt;

30 (2) condition the provision of a transcript on the payment of a
31 debt, other than a fee charged to provide the transcript;

32 (3) charge a higher fee for obtaining a transcript, or provide less
33 favorable treatment of a transcript request because a current or
34 former student owes a debt; or

35 (4) use transcript issuance as a tool for debt collection.

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

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

43 (2) debt exceeding \$2,000 from non-mandatory charges.

44 c. Notwithstanding the provisions of subsections a. and b. of this
45 section to the contrary, an institution shall not restrict or condition the
46 provision of a transcript to a student who attests that the transcript is
47 needed to apply for new student loans or to refinance existing student
48 loans.

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

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

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9 3. This act shall take effect immediately.

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12 STATEMENT

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14 This bill establishes conditions under which an institution of
15 higher education or proprietary institution licensed to offer
16 academic degrees may refuse to release a transcript to a student who
17 has an outstanding account balance at the institution.

18 Under the bill, if a student requests a transcript for purposes of
19 transfer to another institution, application for enrollment in a
20 graduate degree program, or for employment including internships,
21 fellowships, certifications, licensures, and special programs, an
22 institution cannot, due to an outstanding balance on a student's
23 account of \$2,000 or less of non-mandatory charges:

24 (1) refuse to provide a transcript for a student on the grounds
25 that the student owes a debt;

26 (2) condition the provision of a transcript on the payment of a
27 debt, other than a fee charged to provide the transcript;

28 (3) charge a higher fee for obtaining a transcript, or provide less
29 favorable treatment of a transcript request because a student owes a
30 debt; or

31 (4) use transcript issuance as a tool for debt collection.

32 The bill further provides that an institution may condition the
33 provision of a transcript to a student on the student's agreement to
34 enter into a good faith repayment plan and submission of the first
35 payment on that plan if the student owes the institution:

36 (1) any amount for unpaid tuition, room and board, or other
37 mandatory student fees or charges; or

38 (2) an amount exceeding \$2,000 for non-mandatory charges.

39 Under the bill, an institution cannot restrict or condition the
40 provision of a transcript to a student who attests that the transcript
41 is needed to apply for new student loans or to refinance existing
42 student loans.

43 The bill provides that a violation by an institution of the bill's
44 requirements is to constitute an unlawful practice under the
45 consumer fraud act, and is to be subject to all remedies and
46 penalties available pursuant to the provisions of that act.

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1 Finally, the bill provides that its provisions are not to apply to
2 the release of transcripts to students who reside outside of the
3 United States.