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Date: (Filing No. S-)

EDUCATION AND CULTURAL AFFAIRS

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**STATE OF MAINE
SENATE
130TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 656, L.D. 1838, “An Act To Improve Student Access to Postsecondary School Transcripts and Diplomas”

Amend the bill by striking out all of section 4 and inserting the following:

'Sec. 4. 20-A MRSA §10015 is enacted to read:

§10015. Access to transcripts and diplomas

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Debt" means any money, obligation, claim or sum due or owing or alleged to be due or owing from a student. "Debt" does not include the fee, if any, charged to all students for the costs of providing a transcript or diploma.

B. "Four-year postsecondary educational institution" means a public or private postsecondary school in the State that offers a bachelor's degree or other 4-year degree.

C. "Two-year postsecondary educational institution" means a public or private postsecondary school in the State that offers an associate degree or other 2-year degree.

2. Prohibition. Notwithstanding any provision of law to the contrary, upon the request of a current or former student, a 2-year postsecondary educational institution or 4-year postsecondary educational institution shall provide that student's transcript or diploma and may not condition the release of the transcript or diploma on agreement to a repayment plan unless the student owes a debt of \$500 or more at a 2-year postsecondary educational institution or \$2,500 or more at a 4-year postsecondary educational institution. If a 2-year postsecondary educational institution or 4-year postsecondary educational institution requires a student to agree to a repayment plan under this subsection, the 2-year postsecondary educational institution or 4-year postsecondary educational institution shall:

A. Provide the student with the right to appeal the terms of the repayment plan; and

B. Collect data on the reason for the student's request for the release of the transcript or diploma, including but not limited to:

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- 1 (1) A job application;
- 2 (2) A transfer to another institution;
- 3 (3) An application for financial aid;
- 4 (4) Pursuit of opportunities in the military or National Guard; or
- 5 (5) Pursuit of other postsecondary educational opportunities.

6 A 2-year postsecondary educational institution or 4-year postsecondary educational
7 institution may not require a student to make a payment on a repayment plan prior to
8 releasing the transcript or diploma.

9 **3. Uniform policy.** A 2-year postsecondary educational institution or 4-year
10 postsecondary educational institution that has more than one campus in this State shall
11 adopt a uniform policy on the release of student transcripts and diplomas that is consistent
12 across all campuses.

13 **4. Enforcement by Superintendent of Consumer Credit Protection.** The
14 Superintendent of Consumer Credit Protection within the Department of Professional and
15 Financial Regulation may take appropriate action to ensure compliance with this section.

16 **5. Unfair trade practice.** A violation of this section constitutes an unfair or deceptive
17 act or practice in violation of Title 5, chapter 10.

18 **6. Rules.** The Superintendent of Consumer Credit Protection within the Department
19 of Professional and Financial Regulation may adopt rules to implement this section. Rules
20 adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter
21 375, subchapter 2-A.

22 **7. Report.** Beginning January 15, 2023 and annually thereafter, each 2-year
23 postsecondary educational institution and 4-year postsecondary educational institution in
24 this State shall submit a report to the joint standing committee of the Legislature having
25 jurisdiction over education matters on requests for the release of transcripts and diplomas.
26 The report must include:

27 A. The number of transcripts and diplomas released, disaggregated by those released
28 to a student who owes a debt of:

29 (1) Five hundred dollars or more at a 2-year postsecondary educational institution;
30 and

31 (2) Twenty-five hundred dollars or more at a 4-year postsecondary educational
32 institution;

33 B. The number of accounts in a repayment plan and the amounts still outstanding and
34 status of the repayment plan; and

35 C. The total number of requests for transcripts and diplomas disaggregated by the
36 reason for the request, demographic information of students who request a transcript
37 or diploma, if known, and the nature and age of the debt owed.

38 The report may include a recommendation on the amount of debt pursuant to subsection 2
39 over which a 2-year postsecondary educational institution or 4-year postsecondary
40 educational institution may require a student to agree to a repayment plan.'

1 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
2 number to read consecutively.

3 **SUMMARY**

4 This amendment changes the prohibition in the bill on a postsecondary educational
5 institution's refusing to provide a former or current student's transcript or diploma by
6 specifying that, upon the request of a current or former student, a 2-year postsecondary
7 educational institution or 4-year postsecondary educational institution is required to
8 provide that student's transcript or diploma and may not condition the release of the
9 transcript or diploma on an agreement to a repayment plan unless the student owes a debt
10 of \$500 or more at a 2-year postsecondary educational institution or \$2,500 or more at a 4-
11 year postsecondary educational institution. If a student is required to agree to a repayment
12 plan, the postsecondary educational institution is required to provide the student with the
13 right to appeal the terms of the repayment plan and collect data on the reason for the request
14 for the release of the transcript or diploma, including but not limited to a job application, a
15 transfer to another institution, an application for financial aid, pursuit of opportunities in
16 the military or National Guard or pursuit of other postsecondary educational opportunities.
17 A postsecondary educational institution may not require a student to make a payment on a
18 repayment plan prior to releasing the transcript or diploma.

19 The amendment also requires postsecondary educational institutions to report annually
20 to the joint standing committee of the Legislature having jurisdiction over education
21 matters on requests for and the release of transcripts and diplomas.

22 **FISCAL NOTE REQUIRED**

23 **(See attached)**