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Bill Number: Senate Bill 152

Position: Letter of Information

Title: Institutions of Higher Education - Transcripts - Prohibition on Punitive Measures Related to Student Debt

Committee: Senate Education, Health & Environmental Affairs Committee

Hearing Date: February 9, 2022

Bill Summary:

Senate Bill 152 would prohibit an institution of higher education from refusing to provide a current or former student with a transcript because the student owes a debt to the institution of higher education. It will prohibit an institution of higher education from charging a higher fee to obtain a transcript if the student owes a debt, provide less favorable treatment of a transcript request when the student owes a debt, or use a transcript issuance as a tool for debt collection.

Information:

The Maryland Higher Education Commission (MHEC) provides this letter of information to ensure that the legislature is aware of important language distinctions as it applies to the different types of institutions that operate in Maryland.

Senate Bill 152 uses the term “institution of higher education.” Per Education Article §10–101, “Institution of higher education” means an institution of postsecondary education that generally limits enrollment to graduates of secondary schools, and awards degrees at either the associate, baccalaureate, or graduate level... and includes public, private nonprofit, and for–profit institutions of higher education. This term does not include non-degree granting institutions, such as our private career schools. A more inclusive term to use would be “Institution of postsecondary education,” which means a school or other institution that offers an educational program in the State for individuals who are at least 16 years old and who have graduated from or left elementary or secondary school (per Education Article §10–101). The proposed legislation (without amendments) leaves out any consideration for private career schools that operate in Maryland.

Additionally, MHEC generally regulates both institutions that have their primary location in Maryland (in-state institutions) and institutions that are primarily located outside of Maryland but seek to operate in Maryland (out-of-state institutions). It may be helpful to clarify if the proposed legislation would include out-of-state institutions that physically

operate in Maryland (e.g., “institutions of postsecondary education that operate in Maryland”). However, this would not include out-of-state institutions that provide distance education to Maryland residents, regardless of the institution’s participation in NC-SARA¹.

For additional information, please contact Dr. Emily A. A. Dow, Assistant Secretary for Academic Affairs at emily.dow@maryland.gov, for more information.

¹ NC-SARA is an agreement among member states, districts, and territories that establishes comparable national standards for interstate postsecondary distance education. More information can be found here: <https://nc-sara.org/>.