

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-TWO

—
S.P. 656 - L.D. 1838

An Act To Improve Student Access to Postsecondary School Transcripts and Diplomas

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 9-A MRSA §6-104, sub-§1, ¶I, as amended by PL 2011, c. 427, Pt. A, §12, is further amended to read:

I. Convene meetings of individuals representing various segments of the public and the consumer credit industry to advise and consult with the administrator concerning the exercise of powers under this Act and to make recommendations to the administrator. The administrator may authorize reimbursement of reasonable expenses incurred in attending the meetings; ~~and~~

Sec. 2. 9-A MRSA §6-104, sub-§1, ¶J, as enacted by PL 2011, c. 427, Pt. A, §13, is amended to read:

J. To the extent permitted in Title X of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203, Section 1042, enforce the provisions of Title X of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203 or regulations issued under those provisions with respect to entities that are state-chartered, incorporated, licensed or otherwise authorized to do business under the laws of this State and secure remedies under provisions of Title X of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203 or remedies otherwise provided under other provisions of law with respect to entities that are state-chartered, incorporated, licensed or otherwise authorized to do business under the laws of this State; and

Sec. 3. 9-A MRSA §6-104, sub-§1, ¶K is enacted to read:

K. Enforce the provisions of Title 20-A, section 10015.

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:

(1) A job application;

(2) A transfer to another institution;

(3) An application for financial aid;

(4) Pursuit of opportunities in the military or National Guard; or

(5) Pursuit of other postsecondary educational opportunities.

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

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

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

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

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

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

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

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

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

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

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

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