

2020 Regular Session

HOUSE BILL NO. 676

BY REPRESENTATIVE EMERSON

HIGHER EDUCATION: Prohibits a postsecondary education institution from withholding certain student services for financial reasons

1 AN ACT

2 To enact R.S. 17:3391, relative to student records; to prohibit withholding student transcripts
3 and other records due to outstanding debt or defaulting on loans; to provide for
4 definitions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 17:3391 is hereby enacted to read as follows:

7 §3391. Student records; outstanding student debt, student loan default

8 A. For purposes of this Section:

9 (1) "School" means any institution in Louisiana to which a Taylor
10 Opportunity Program for Students award may be paid on behalf of students pursuant
11 to Chapter 50 of this Title.

12 (2) "Debt" means any money, obligation, claim, or sum, due or owing, or
13 alleged to be due or owing, from a student.

14 (3) "Default" means the failure of a borrower to repay a loan according to
15 the terms agreed to in the promissory note.

16 B. Notwithstanding any other provision of law, no school shall do any of the
17 following:

18 (1) Refuse to provide a transcript for a current or former student on the
19 grounds that the student owes a debt.

- 1 (2) Condition the provision of a transcript for a current or former student on
2 the payment of a debt other than a fee charged to provide the transcript.
- 3 (3) Charge a higher fee for obtaining a transcript or provide any other less
4 favorable treatment because a student or former student owes a debt.
- 5 (4) Use transcript issuance as a debt collection tool.
- 6 (5) Withhold services from a current or former student who is in default on
7 a federal loan. Services that may not be withheld include but are not limited to:
- 8 (a) Providing grades.
9 (b) Providing a diploma.
10 (c) Course registration services.
11 (d) Issuing transcripts.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 676 Original

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Emerson

Abstract: Prohibits a postsecondary education institution from withholding certain services when a student has an outstanding debt with the institution or a federal loan in default.

Proposed law provides relative to students with outstanding debt. Prohibits postsecondary education institutions from doing the following because of debt:

- (1) Refuse to provide a transcript.
- (2) Condition providing a transcript on debt payment other than the standard fee charged for a transcript.
- (3) Charge a higher fee for a transcript, or otherwise treat a student less favorably than a student without a debt.
- (4) Withhold a transcript as a tool for debt collection.

Proposed law provides relative to students who are in default on a federal loan. Prohibits postsecondary education institutions from withholding release of records, including transcripts, grades, and diplomas due to a student's defaulting on a loan.

Proposed law applies to the following postsecondary education institutions:

- (1) A public college or university in La.
- (2) A regionally accredited independent college or university in the state that is a member of the La. Assoc. of Independent Colleges and Universities.

- (3) A school that has a valid and current certificate of registration issued by the La. State Bd. of Cosmetology in accordance with law and that is accredited by an accrediting organization recognized by the U.S. Dept. of Education.
- (4) A proprietary school that has a valid and current license issued by the Bd. of Regents in accordance with law and that is accredited by an accrediting organization recognized by the U.S. Dept. of Education.

(Adds R.S. 17:3391)