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Bill Number: Senate Bill 248

Position: Letter of Information

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

Committee: Senate Education, Energy, and the Environment Committee

Hearing Date: February 8, 2023

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.

SB248 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.

Similarly, 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-SARA .

Additionally, it would be helpful if the legislation clarified that the requirement would apply to both “official transcripts” and “unofficial transcripts.” There is an important distinction between an official and unofficial transcript. Employer, colleges, universities, and other entities often require an “official transcript” to demonstrate educational experience. It is important that students have access to their academic records, unofficially or officially.

Last, it is worth noting that MHEC will occasionally receive student complaints concerning withholding academic records from students due to monies owed.

We welcome the opportunity to discuss the proposed legislation further and provide additional clarification. Please contact Dr. Emily A. A. Dow, Assistant Secretary for Academic Affairs, for more information.