



October 21, 2019

Sent via electronic mail to: dariya@marylandconsumers.org

Dariya Brown
Student Rights Program Manager
Maryland Consumer Rights Coalition
2209 Maryland Avenue
Baltimore, MD 21218

Re: Maryland Public Information Act Request No.: 359

Dear Ms. Brown,

The University of Maryland, College Park (the “University”) has received and begun to process your request dated October 2, 2019 under the Public Information Act, Md. Code Ann., General Provisions Article (“GP”) §§4-101 to 4-601 (the “Act”). Specifically, you requested:

Copies of public records that pertain to withholding a student’s transcript because they owe an institutional debt. I wish to inspect all records in your custody and control pertaining to the following:

1. *[a] How many students hold institutional debt? [b] What is the average amount of institutional debt held by a student? [c] What is the most common type of debt owed by a student to your institution?*
2. *How many transcripts were withheld per year over the past 5 years?*
3. *What were the amounts owed that resulted in withholding a student’s transcript?*
4. *What were the reasons why students owed (i.e. unpaid parking tickets, library fees, etc.)?*
5. *What were the demographics of students that had transcripts withheld (i.e. race, gender, class-standing, etc.)?*
6. *How many of these debts were repaid?*
7. *How many of these debts were repaid after the release of the student’s transcripts?*

Correspondence confirming receipt of your inquiry and a request for extension was sent October 16, 2019. This communication seeks extensive clarification and offers additional background relevant to your request.

First, my understanding is that you spoke with Allison Boyle, an Assistant Attorney General from the Educational Affairs Division and provided the following five (5) preliminary clarifications for your request:

[a] “students [that] hold any institutional debt” means students who are currently enrolled and owe institutional debt;

[b] “institutional debt” is defined as debt a student owes directly to the institution, such as tuition and fees, room and board, parking tickets, or library fees;

[c] “most common type of debt owed” means the type/category of institutional debt that is owed the most by students;

[d] “transcripts withheld” means (i) the number of transcripts that are blocked and will not be released because a student owes institutional debt, and (ii) the number of transcripts that are requested and denied (and therefore withheld) because they are blocked; and

[e] “the amounts owed that resulted in withholding a student’s transcript” means the amount a student owes as it relates to "blocked" transcripts and transcript requests that are denied.

Second, as a preliminary matter, under the Act, the University does not have to create new records in order to respond to your request. A stronger understanding of our procedures will provide you with critical context.

1. Currently enrolled students who are past due on their student account are placed on financial hold for balances of \$250 or greater. Financial holds prevent transcript release. Currently enrolled students with balances less than \$250 are eligible to receive transcripts. Because of the \$250 financial hold threshold, students are generally not on hold for penalties such as unpaid parking tickets and library fees.

2. Financial holds are automatically released daily when the account balance falls below the dollar threshold required for the hold, \$250 for currently enrolled students and \$10 for non-registered students.

3. On an individual, case-by-case basis, Student Financial Services and Cashiering (SFSC) provides permission for students (registered and non-registered) to obtain a transcript when there is a financial hold on an account. This information is submitted to the Office of the Registrar to override the financial hold and release the transcript. This override is most commonly approved for transcript requests for the purpose of employment. These special override cases are not tracked for reporting. Thus, the financial hold itself is not a true account of an individual's ability to obtain a transcript.

4. Financial holds are placed by SFSC and transcripts are issued by the Office of the Registrar. Transcript request denial for financial holds is not tracked between offices. The vast majority of transcript requests result in a transcript release, rather than a denial for a financial hold.

5. In all, there is no way for the University to know who is denied a transcript because of a financial hold, as we do not track that information. Neither do we track how many transcripts are released in spite of a financial hold -- which happens in the case of the SFSC overrides.

Third, notwithstanding the above, the University needs further clarification to determine how best to respond to Part 1 of your request¹. While an interactive process of clarification may be necessary, the University takes this opportunity to begin asking questions and making comments to further process your request. The comments/questions will be presented in parallel with your inquiries.

1. [a] At what point in time are you requesting this count, as the number can and does change daily and may be incorrect by the date the number is transmitted to you. Are you requesting past due accounts? Or do you want all the students who have had any tuition and fees posted to their account today, but have not yet paid, to be included in this total number?

1. [b] We do not have data on an average amount of institutional debt held by a student and cannot respond to this request.

1. [c] Generally, tuition and fees are the most common type of debt since generally every student owes this debt as soon as it is posted to their account until they make full payment, which may be made by the payment due date.

2. The University cannot determine the number of transcripts which have been requested and withheld for financial debt reasons because our data is not tracked in this manner. Thus, the University does not have records responsive to this segment of your inquiry.

3. We cannot determine the amount of the debt that was owed at the time a transcript was requested and withheld for financial debt reasons because our data is not tracked in this manner. Thus, the University does not have records responsive to this segment of your inquiry.

4. The University cannot determine the amount of the debt that was owed at the time a transcript was requested and withheld for financial debt reasons because our data is not tracked in this manner. Thus, the University does not have records responsive to this segment of your inquiry.

5. The University does not track the demographics of students who have had transcripts withheld under either of the definitions provided. Thus, the University does not have records responsive to this segment of your inquiry.

6. For purposes of this response, the University presumes that you mean debts *paid* and not “debts repaid” as you seem to have excluded student loans from the definition of “institutional debt.” The University does not track information regarding debts paid based on students who have had transcripts withheld under either of the definitions provided. Thus, the University does not have records responsive to this segment of your inquiry.

¹ Parts 2 to 7 of your October 2, 2019 request are closed as of October 21, 2019.

7. The University does not track debts paid after students' transcripts are released under either of the definitions provided. Thus, the University does not have records responsive to this segment of your inquiry.

Under Section 4-206 of the Act, the University is entitled to charge a reasonable fee to locate, review, prepare and reproduce the requested records. You will not be charged for the first two hours needed to search and prepare the responsive records. As to the cost -- after granting you the first two (2) hours of processing at no charge -- (and presuming we possess and can disclose even a portion of the records), we expect that fulfillment of your request will generate a fee greater than \$300, but need further clarification regarding Part 1 of your request to provide a more exact calculation because it depends on the time to be expended and the actual hourly rates of the individual staff and attorneys who must conduct the review. In any event, we will inform you of any estimated fee prior to initiation of the task and after we receive clarification regarding Part 1 of your broad inquiry. The first two hours at no charge have been used.

The University shall await your clarifications pertaining to Part 1 of your request before it resumes processing the October 2, 2019 inquiry. In any case, if you do not respond to this letter within ten (10) business days (by November 4, 2019), the University will presume that you do not wish to proceed with Part 1 of the October 2, 2019 inquiry and will close our file accordingly.

Sincerely,
Laura Anderson Wright
Laura Anderson Wright
Associate General Counsel