

HB1164_Transcripts_Prohibition_on_Punitive_Measure

Uploaded by: Cecilia Plante

Position: FAV



**TESTIMONY FOR HB1164
NONPUBLIC SCHOOLS – TRANSCRIPTS – PROHIBITION ON PUNITIVE MEASURES
RELATED TO STUDENT DEBT**

Bill Sponsor: Delegate Smith

Committee: Education, Energy, and the Environment

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of HB1164 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists, and our Coalition supports well over 30,000 members.

Student debt is skyrocketing and it is harming the future of our children. There are too many students who struggle with the burden of student debt, and in some cases never find a job that helps them pay it off. Institutions make it particularly hard for the student to pay off the debt when they refuse to give them a transcript that is necessary to get a job because of the debt.

This bill, if enacted, would preclude nonpublic schools in Maryland that receives state funding would be prohibited from –

- Refusing to provide a transcript to a student or parent/guardian because the student has an outstanding debt
- Condition the issuance of a transcript on payment of the debt
- Charge a higher fee for obtaining the transcript due to the outstanding debt •
- Provide less favorable treatment of the request due to the outstanding debt •
- Use the issuance of the transcript as a means of debt collection

Our members believe that if the student has done the work, the institution should be trying to help them get a job (which includes providing a transcript) and should not use the transcript as a hostage to collect the debt.

We support this bill and recommend a **FAVORABLE** report in committee.

Testimony in support of crossover bill HB1164.pdf

Uploaded by: Richard KAP Kaplowitz

Position: FAV

CROSSOVER BILL HB1164_RichardKaplowitz_FAV
4/2/2024

Richard Keith Kaplowitz
Frederick, MD 21703

**TESTIMONY ON CROSSOVER BILL HB1164 – FAVORABLE
Nonpublic Schools – Transcripts – Prohibition on Punitive Measures Related to Student
Debt**

TO: Chair Feldman, Vice Chair Kagan, and members of the Education, Energy, and the Environment Committee

FROM: Richard Keith Kaplowitz

My name is Richard K. Kaplowitz. I am a resident of District 3. I am submitting this testimony in support of CROSSOVER BILL HB1164, Nonpublic Schools – Transcripts – Prohibition on Punitive Measures Related to Student Debt

Non-public schools that participate in State-funded education programs should not be permitted to use a student's accomplishment of educational achievement, a transcript, as a bargaining chip if the student or the student's parent or guardian is in debt to that institution. The denial of the provision of the requested document affects future educational or employment for the student affected. Whether the denial is made to a current or former student the harm is the same; this is an unconscionable and predatory way to collect debt owed to that non-public school by holding a document hostage to debt payments.

There are other legal avenues available to institutions that are owed a debt that has not been satisfied. This bill will eliminate a method to force debt repayment that is not directly relevant to the person seeking the document that proves that the education, paid or owed, was completed.

I respectfully urge this committee to return a favorable report and pass CROSSOVER BILL HB1164.

MD Catholic Conference_HB 1164_UNF SENATE CROSS.pd

Uploaded by: Garrett O'Day

Position: UNF



MARYLAND
CATHOLIC
CONFERENCE

April 2, 2024

HB 1164

Nonpublic Schools – Transcripts – Prohibition on Punitive Measures Related to Student Debt

Senate Education, Energy & the Environment Committee

Position: UNFAVORABLE

The Maryland Catholic Conference offers this testimony in opposition to House Bill 1164. The Catholic Conference is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals and numerous charities combine to form our state's second largest social service provider network, behind only our state government. We offer this testimony on behalf of the families of more than 50,000 students served by over 150 PreK-12 Catholic schools in Maryland.

House Bill 1164 proposes among other things to prohibit nonpublic schools from: 1.) refusing to provide a transcript to a student or the parent or guardian of a student because the student owes a debt, 2.) conditioning the issuance of a transcript on the payment of a debt, 3.) charging a higher fee for obtaining a transcript because the student owes a debt, 4.) providing less favorable treatment of a transcript request because a student owes a debt, or 5.) using transcript issuance as a tool of debt collection.

Nonpublic schools rely almost entirely on tuition, and many of them at very modest amounts, to keep teachers paid, high-quality curriculum materials in the classrooms, and the lights and heat on, just to name a few basic expenditures. Thus, nonpublic schools must form a contractual agreement with parents and guardians to ensure that there is recourse if tuition is not paid. Often times, part of that agreement is that transcripts may be withheld, so as to incentivize parents who might leave a nonpublic school community to ensure that financial agreement obligations are paid before moving on to another school. Oftentimes this is another private school, where they will enter into the same willing agreement yet again. Therefore, schools often hold back report cards/transcripts if a student has left with a pending financial obligation as a matter of the contractual arrangement with parents.

The passage of this legislation is likely to result in an increased strain on Maryland courts, as it would pit Maryland law against the binding contractual agreements commonly and freely entered into by its citizens and schools (there are around 135,000 students in nonpublic schools statewide), thus resulting in collections actions and litigation in instances that are often

settled out of court, spurred by communications between the parties to settle financial obligations as a result of the withholding of transcripts.

This legislation also interferes with the private contractual rights of Maryland's citizens to enter into terms that are of fair consideration to both parties. The state has no business impeding the free, fair and willing contractual obligations entered into by its citizens. That is exactly what this bill portends to do and it is for these reasons that we urge an unfavorable report on House Bill 1164.

MDCAPE Testimony - HB 1164 NONPUB DEBT - OPPOSE -

Uploaded by: Maryland CAPE

Position: UNF



SENATE EDUCATION, ENERGY, AND THE ENVIRONMENT COMMITTEE

HOUSE BILL 1164

**NONPUBLIC SCHOOLS – TRANSCRIPTS – PROHIBITION ON PUNITIVE MEASURES RELATED
TO STUDENT DEBT**

APRIL 2, 2024

OPPOSE

Maryland CAPE is our state's chapter and one of 40 state chapters of the Council for American Private Education. Our network includes the Catholic, Christian, Evangelical Lutheran, Friends, Independent, Jewish, Lutheran, Montessori, Muslim, and Seventh Day Adventist school communities. We speak on behalf of roughly 130,000 nonpublic school students attending over one thousand nonpublic schools across our great state of Maryland.

Tuition is perhaps the primary means through which a nonpublic school maintains its ability to pay the myriad expenses necessary for proper maintenance and care. It is therefore sometimes necessary for a school to be able to exercise the threat of taking various punitive measures in the event that the responsible party attempts to evade keeping their side of the agreement by paying the school the agreed-upon tuition payment. The tuition agreement between parent or caregiver and the school is freely entered into, and with clear terms. If a parent or caregiver then attempts to evade or renege, it is important that the school have the ability to incentivize them to change course.

While our schools respect our parent body, we do recognize that on occasion there are those who attempt to cheat the system, and it is important that the school retain some measures through which it can convince the party in question to stop avoiding payment of properly owed debts.

It should be noted that many of our schools are forced to operate on a tight budget, and thus even small amounts of payment can have a great impact on their operations. It is important that our schools retain their independence rather than be constrained, as House Bill 1164 would do. We therefore respectfully request an UNFAVORABLE report on House Bill 1164.

Thank you.