



California Transcript Legislation Assembly Bill No. 1313

California signed into law [AB 1313](#) which prohibits colleges and universities from withholding transcripts from students who owe a debt. The legislation applies to both public and private postsecondary institutions and prohibits schools from the following:

- Refusing to provide a transcript for a current or former student on the grounds that the student owes a debt,
- Conditioning the provision of a transcript on the payment of a debt, charging a higher fee for obtaining a transcript or providing less favorable treatment of a transcript request because a student owes a debt,
- Or using a transcript issuance as a tool for debt collection.

The measure has raised numerous questions from institutions in the state of California and in other states that serve California students. AACRAO was in contact with representatives from the California Department of Justice to seek clarification regarding these issues and concerns. The following responses do not serve as legal advice from the California DOJ, but do provide some guidance on the enacted law.

- 1. The legislation states that it covers public and private institutions, but does not explicitly say private for-profit institutions. By stating private, the legislation is also covering this class of institutions as well, correct?**
 - a. Yes, private for-profit institutions are included in the bill.
- 2. The legislation is specific only to California institutions, correct? Thus an institution cannot withhold a transcript from one California institution to another California institution where a student transfers, correct?**
 - a. Correct, a California institution cannot withhold a student's transcript regardless of where the student transfers.
- 3. What happens when a student transfers to an out-of-state school? Is the California school still required to provide the transcript?**
 - a. Yes, the California school cannot withhold the student's transcript.
- 4. What about online schools? Specifically, an institution that is based in another state but the student is living in California.**
 - a. Generally speaking, entities doing business with persons located in California are subject to California law, regardless of where the entity is located.
- 5. Also, if the institution is based in another state but offers services to individuals in California, does the institution need to have a 'location' (i.e. traditional brick and mortar facilities) in California to be subject to this law? What about a small rented office space?**
 - a. Generally speaking, entities doing business with persons located in California are subject to California law, regardless of where the entity is located.

6. **Similarly, an individual lives in California but is enrolled online in another state. This law would not cover this individual, correct?**
 - a. Generally speaking, entities doing business with persons located in California are subject to California law, regardless of where the entity is located.
7. **There is also language in the legislation that would not allow an institution to restrict a student from registering for future semesters even if they owe funds to the institution. Is this correct?**
 - a. This language was already in existing law and we were not changing that part of the statute. If a student owes a fund to the school, the school still has the ability to withhold the student's ability to register for classes.