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DIVISION 3. OBLIGATIONS [1427 - 3273.69] (Heading of Division 3 amended by Stats. 1988, Ch. 160, Sec. 14.)

PART 4. OBLIGATIONS ARISING FROM PARTICULAR TRANSACTIONS [1738 - 3273.69] (Part 4 enacted 1872.)

TITLE 1.6C.7. Educational Debt Collection Practices [1788.90 - 1788.94] (Title 1.6C.7 added by Stats. 2019, Ch. 518, Sec. 1.)

1788.90. This title shall be known, and may be cited, as the Educational Debt Collection Practices Act.

(Added by Stats. 2019, Ch. 518, Sec. 1. (AB 1313) Effective January 1, 2020.)

1788.91. The Legislature finds and declares all of the following:

(a) Schools and colleges have threatened to withhold transcripts from students as a debt collection tactic. The practice can cause severe hardship by preventing students from pursuing educational and career opportunities, and it is therefore unfair and contrary to public policy. Moreover, the practice is counterproductive as it may further delay the payment of the debt by creating obstacles to student employment.

(b) It is the purpose of this title to prohibit schools from interfering with student educational and career opportunity by the withholding of transcripts.

(Added by Stats. 2019, Ch. 518, Sec. 1. (AB 1313) Effective January 1, 2020.)

1788.92. For purposes of this title, the following terms shall have the following meanings:

(a) "School" means any public or private postsecondary school, or any public or private entity, responsible for providing transcripts to current or former students of a school.

(b) "Debt" means any money, obligation, claim, or sum, due or owing, or alleged to be due or owing, from a student, but does not include the fee, if any, charged to all students for the actual costs of providing the transcripts.

(Added by Stats. 2019, Ch. 518, Sec. 1. (AB 1313) Effective January 1, 2020.)

1788.93. Notwithstanding any provision of law, a school shall not do any of the following:

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

(b) Condition the provision of a transcript on the payment of a debt, other than a fee charged to provide the transcript.

(c) Charge a higher fee for obtaining a transcript, or provide less favorable treatment of a transcript request because a student owes a debt.

(d) Use transcript issuance as a tool for debt collection.

(Added by Stats. 2019, Ch. 518, Sec. 1. (AB 1313) Effective January 1, 2020.)

1788.94. Any waiver of a provision of this title is contrary to public policy and is void and unenforceable.

(Added by Stats. 2024, Ch. 853, Sec. 13. (AB 3281) Effective January 1, 2025.)