

CHAPTER 105

AN ACT concerning service members and their dependents enrolled at public institutions of higher education and amending P.L.1997, c.377.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 1 of P.L.1997, c.377 (C.18A:62-4.2) is amended to read as follows:

C.18A:62-4.2 Options for student at public institution of higher education unable to complete course due to military service.

1. a. A service member or dependent of the service member, enrolled in a public institution of higher education who is unable to complete a course due to an unplanned deployment, mobilization, reassignment, or other military obligation of the service member, shall be entitled to the options set forth in this section with respect to the service member's or dependent's grade for the course.

b. A service member or dependent who has completed at least 55 percent of the course duration may choose, subject to approval from the faculty member, the department, the registrar, or the appropriate office at the institution, as applicable, to:

(1) receive a letter grade if the faculty member teaching the course determines that the service member or dependent has completed sufficient work, and there is sufficient evidence of progress toward meeting the requirements of the course, to justify the grade;

(2) receive a grade of pass or fail based on whether the faculty member teaching the course determines that the service member or dependent has completed sufficient work and there is sufficient evidence of progress toward meeting the requirements of the course to justify the grade;

(3) receive a grade of incomplete;

(4) withdraw from the course;

(5) receive a temporary grade, if applicable; or

(6) transfer into an equivalent online section of the course, if available, with appropriate approval.

c. A service member or dependent who has completed less than 55 percent of the course duration may choose, subject to approval from the faculty member, the department, the registrar, or the appropriate office at the institution, as applicable, to:

(1) receive a grade of incomplete if the faculty member teaching the course determines that the service member or dependent has completed sufficient work, and there is sufficient evidence of progress toward meeting the requirements of the course, to justify the grade;

(2) withdraw from the course; or

(3) transfer into an equivalent online section of the course, if available, with appropriate approval.

d. (Deleted by amendment, P.L.2025, c.105)

e. A grade of incomplete shall remain valid for a period of one year after the service member or dependent returns to the public institution of higher education.

f. A service member or dependent who chooses to accept a grade of pass or fail may, within one year after returning to the public institution of higher education, contact the faculty member who taught the course, the academic chair of the department offering the course, the registrar, or the appropriate office at the institution to establish a plan to receive a letter grade for the course by completing the work required for the course, in which case the letter grade shall replace the pass or fail grade as the service member's or dependent's grade for the course.

g. A service member or dependent who chooses to withdraw from a course shall receive a full refund of tuition and fees attributable to that course.

h. A service member or dependent who has paid amounts for room, board, or fees shall, except as provided in subsection g. of this section, receive a refund of that portion of those

amounts attributable to the time period during which the student or dependent did not use the services for which payment was made.

i. Any refund payable to a service member or dependent who is a financial aid recipient shall be subject to the applicable State and federal regulations regarding refunds.

j. As used in this section:

“Dependent” means an individual who is the dependent child or spouse of a service member.

“Service member” means an individual who is serving as a member of a Reserve component of the Armed Forces of the United States, or as a member of the National Guard, or on active duty as a member of the Armed Forces of the United States.

2. This act shall take effect immediately and shall first apply to the first full academic year next following the date of enactment.

Approved July 22, 2025.