

[First Reprint]

SENATE, No. 128

STATE OF NEW JERSEY
217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

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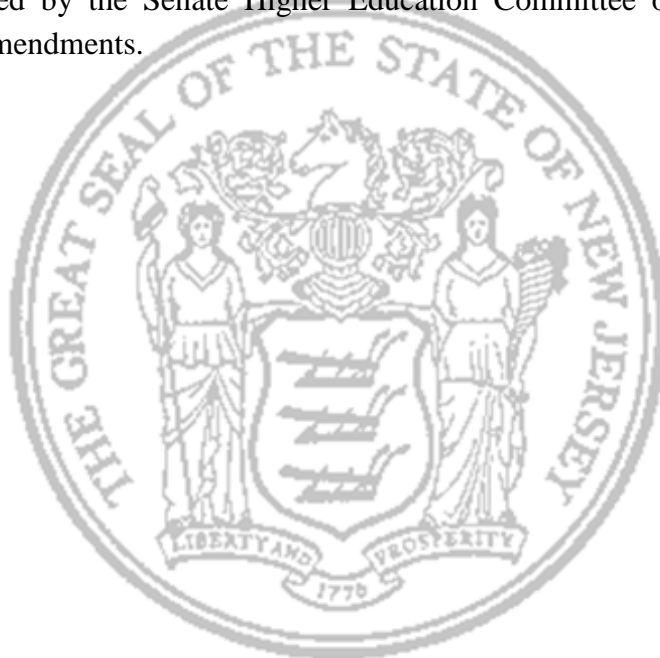
Senators Greenstein, Bateman and Cruz-Perez

SYNOPSIS

Requires institutions of higher education to provide greater assistance to certain students with military obligations.

CURRENT VERSION OF TEXT

As reported by the Senate Higher Education Committee on February 8, 2016, with amendments.



(Sponsorship Updated As Of: 11/15/2016)

1 AN ACT concerning students with military obligations attending
2 institutions of higher education, amending P.L.1997, c.377, and
3 supplementing chapter 62 of Title 18A of the New Jersey
4 Statutes.

5

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

8

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

11 1. a. A student at a New Jersey public institution of higher
12 education who is ¹**[unable to complete a course because the student**
13 **is called to partial or full mobilization for State or federal active**
14 **duty as] on full-time duty status in the active uniformed services of**
15 **the United States or is**¹ a member of the National Guard or a
16 Reserve component of the Armed Forces of the United States ¹**who**
17 **is unable to complete a course because the student is deployed or**
18 **called to partial or full mobilization for State or federal active duty**¹
19 **, including calls for monthly drills, annual training, and any active**
20 **duty whether voluntary or involuntary,** shall be entitled to the
21 options set forth in this section with respect to the student's grade
22 for the course.

23 b. A student who has completed at least eight weeks of
24 attendance in a course may choose to:

- 25 (1) receive a letter grade; or
26 (2) receive a grade of pass or fail; or
27 (3) receive a grade of incomplete; or
28 (4) withdraw from the course.

29 c. A student who has completed less than eight weeks of
30 attendance in a course may choose to:

- 31 (1) receive a grade of incomplete; or
32 (2) withdraw from the course.

33 d. A letter grade or a grade of pass shall only be awarded if, in
34 the opinion of the faculty member teaching the course, the student
35 has completed sufficient work, and there is sufficient evidence of
36 progress toward meeting the requirements of the course, to justify
37 the grade.

38 e. A grade of incomplete shall remain valid for a period of one
39 year after the student returns to the New Jersey public institution of
40 higher education.

41 f. A student who chooses to accept a grade of pass or fail may,
42 within one year after returning to the New Jersey public institution
43 of higher education, receive a letter grade for the course by
44 completing the work required for the course, in which case the

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹**Senate SHI committee amendments adopted February 8, 2016.**

1 letter grade shall replace the pass or fail grade as the student's grade
2 for the course.

3 g. A student who chooses to withdraw from a course shall
4 receive a full refund of tuition and fees attributable to that course.

5 h. A student who has paid amounts for room, board or fees
6 shall, except as provided in subsection g. of this section, receive a
7 refund of that portion of those amounts attributable to the time
8 period during which the student did not use the services for which
9 payment was made.

10 i. Any refund payable to a student who is a financial aid
11 recipient shall be subject to the applicable State and federal
12 regulations regarding refunds.

13 (cf: P.L.1997, c.377, s.1)

14

15 2. (New section) Each public and independent institution of
16 higher education shall adopt and implement policies and procedures
17 to assist a student enrolled in the institution, who is ¹on full-time
18 duty status in the active uniformed services of the United States or
19 is¹ serving as a member of the National Guard or a Reserve
20 component of the Armed Forces of the United States, to meet the
21 student's military obligations without loss of academic status or
22 opportunity. The policies and procedures shall provide that:

23 a. the student shall receive from the institution at which the
24 student is enrolled notification each semester of his higher
25 education rights and benefits as ¹a member on full-time duty status
26 in the active uniformed services of the United States or as¹
27 a member of the National Guard or a Reserve component of the
28 Armed Forces of the United States enrolled in the institution
29 including, but not limited to, those established pursuant to section 1
30 of P.L.1997, c.377 (18A:62-4.2), sections 3 and 4 of P.L. , c. (C.)
31 (pending before the Legislature as this bill), and any other section
32 of law. These rights and benefits shall be prominently displayed on
33 the website of the institution; and

34 b. accommodations are provided to the student for each class
35 missed by the student due to military obligation, including where
36 appropriate the provision of lecture notes from the professor or
37 instructor, access to a tutor, and at least five days per each missed
38 class to enable the student to complete coursework.

39

40 3. (New section) a. Each public or independent institution of
41 higher education shall direct a student who is ¹on full-time duty
42 status in the active uniformed services of the United States or is¹
43 serving as a member of the National Guard or a Reserve component
44 of the Armed Forces of the United States to notify each professor or
45 instructor of his military obligations upon enrollment in the course
46 or as soon as is reasonably possible once those obligations become
47 known to the student.

1 b. In the event that a professor or instructor receives
2 notification from a student of the student's military obligations
3 pursuant to subsection a. of this section, the professor or instructor
4 shall initiate communications with the student about each party's
5 academic obligations when the student's military obligations
6 interrupt coursework. The professor or instructor and the student
7 shall enter into a contract that details each party's academic
8 obligations. Each institution of higher education shall develop a
9 standard template for the contract through a negotiated process
10 involving representatives of the administration, faculty unions, and
11 veterans groups. The template shall require the signature of the
12 professor or instructor, the student, and the direct supervisor of the
13 faculty member.

14 c. The professor or instructor shall, to the extent feasible, offer
15 the student options to complete coursework remotely through a
16 modified curriculum that utilizes the Internet and other means, in
17 the event that the student's military obligations prevent attendance
18 at class.

19 d. In the event that the professor or instructor refuses to abide
20 by the terms of the contract established pursuant to subsection b. of
21 this section, the professor or instructor shall be subject to the
22 regular disciplinary process established for the institution by its
23 governing board.

24
25 4. (New section) a. Each public and independent institution of
26 higher education shall accept and apply towards ¹**[a]** an
27 undergraduate¹ degree program the credit recommendation of the
28 American Council on Education for a student's military experience,
29 up to a maximum of 30 credits for a student enrolled in the
30 institution ¹, following an evaluation and determination by the
31 institution that the credits are in alignment with appropriate courses
32 and correspond to the degree being pursued at the institution. Each
33 public and independent institution of higher education shall accept
34 and apply towards a graduate degree program the credit
35 recommendation of the American Council on Education for a
36 student's military experience, up to a maximum of 12 credits for a
37 student enrolled in the institution, following an evaluation and
38 determination by the institution that the credits are in alignment
39 with appropriate courses and correspond to the degree being
40 pursued at the institution¹. The credit recommendation represents
41 college-level equivalencies based on a review of workforce training,
42 military training or occupations, and other sources of learning
43 outside the college classroom.

44 b. Nothing in this section shall be construed to require any
45 public or independent institution of higher education to admit a
46 student or to waive its admission standards and application
47 procedures.

1 c. Nothing in this section shall be construed to prohibit a public
2 or independent institution from accepting and applying towards a
3 degree program more than 30 credits for a student's military
4 experience should the institution choose to take such action.

5
6 5. (New section) Notwithstanding the provisions of any law,
7 rule, or regulation to the contrary, the provisions of P.L.1997,
8 c.377 (C.18A:62-4.2) and P.L. , c. (C.) (pending before the
9 Legislature as this bill) shall be enforced by the New Jersey
10 Department of Military and Veterans Affairs and complaints
11 concerning violations shall be made to that department.

12
13 6. This act shall take effect immediately and shall first apply to
14 the 2016-2017 academic year.