

ASSEMBLY, No. 554

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman ROBERT AUTH

District 39 (Bergen and Passaic)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

SYNOPSIS

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

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 3/1/2021)

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 **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 a full-time duty status in the active uniformed services
15 of the United States or is a member of the National Guard or a
16 Reserve component of the Armed Forces of the United States 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,
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 letter

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.

1 grade shall replace the pass or fail grade as the student's grade for
2 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 to
17 assist a student enrolled in the institution, who is on full-time duty
18 status in the active uniformed services of the United States or is
19 serving as a member of the National Guard or a Reserve component of
20 the Armed Forces of the United States, to meet the student's military
21 obligations without loss of academic status or opportunity. The
22 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 education
25 rights and benefits as a member on full-time duty status in the active
26 uniformed services of the United States or as a member of the National
27 Guard or a Reserve component of the Armed Forces of the United
28 States enrolled in the institution including, but not limited to, those
29 established pursuant to section 1 of P.L.1997, c.377 (18A:62-4.2),
30 sections 3 and 4 of P.L. , c. (C.) (pending before the Legislature
31 as this bill), and any other section of law. These rights and benefits
32 shall be prominently displayed on the website of the institution; and

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

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

47 b. In the event that a professor or instructor receives
48 notification from a student of the student's military obligations

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

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

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

22
23 4. (New section) a. Each public and independent institution of
24 higher education shall accept and apply towards an undergraduate
25 degree program the credit recommendation of the American Council
26 on Education for a student's military experience, up to a maximum
27 of 30 credits for a student enrolled in the institution, following an
28 evaluation and determination by the institution that the credits are
29 in alignment with appropriate courses and correspond to the degree
30 being pursued at the institution. Each public and independent
31 institution of higher education shall accept and apply towards a
32 graduate degree program the credit recommendation of the
33 American Council on Education for a student's military experience,
34 up to a maximum of 12 credits for a student enrolled in the
35 institution, following an evaluation and determination by the
36 institution that the credits are in alignment with appropriate courses
37 and correspond to the degree being pursued at the institution. The
38 credit recommendation represents college-level equivalencies based
39 on a review of workforce training, military training or occupations,
40 and other sources of learning outside the college classroom.

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

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

1 obligations when the student's military obligations interrupt
2 coursework. The professor or instructor and the student must also
3 enter into a contract that details each party's academic obligations.
4 The professor or instructor must, to the extent feasible, offer the
5 student options to complete coursework remotely through a
6 modified curriculum that utilizes the Internet and other means, in
7 the event that the student's military obligations prevent attendance
8 at class. In the event that the professor or instructor refuses to abide
9 by the contract, the professor or instructor will be subject to the
10 regular disciplinary process established for the institution by its
11 governing board.

12 The bill directs public and independent institutions of higher
13 education to accept and apply towards a degree program the credit
14 recommendation of the American Council on Education for a
15 student's military experience, up to a maximum of 30 credits for a
16 student enrolled in the institution. Nothing in the bill prevents an
17 institution from accepting and applying towards a degree program
18 more than 30 credits for a student's military experience should the
19 institution choose to do so.

20 Finally, the bill provides that certain State laws pertaining to the
21 higher education rights of students with military obligations will be
22 enforced by the New Jersey Department of Military and Veterans
23 Affairs and complaints concerning violations can be made to that
24 department.