

[First Reprint]

SENATE, No. 278

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator THOMAS H. KEAN, JR.
District 21 (Morris, Somerset and Union)
Senator SANDRA B. CUNNINGHAM
District 31 (Hudson)
Assemblyman STERLEY S. STANLEY
District 18 (Middlesex)
Assemblyman WAYNE P. DEANGELO
District 14 (Mercer and Middlesex)
Assemblyman JOE DANIELSEN
District 17 (Middlesex and Somerset)

Co-Sponsored by:

Senators Corrado, Brown, Addiego, Diegnan, Greenstein, O'Scanlon,
Assemblyman Dancer, Assemblywomen Murphy, DiMaso, Assemblymen
Bergen, Moen, Assemblywoman Mosquera, Assemblyman Houghtaling,
Assemblywoman Downey, Assemblymen Space, Wirths and
Assemblywoman Swain

SYNOPSIS

Establishes certain rights for students with military obligations attending public institutions of higher education and permits late registration for students with military obligations.

CURRENT VERSION OF TEXT

As reported by the Senate Higher Education Committee on January 30, 2020, with amendments.

(Sponsorship Updated As Of: 5/20/2021)

1 AN ACT concerning access to higher education for veterans and
2 ¹**【service】**¹ members ¹of the military¹, ¹amending P.L.1997,
3 c.377,¹ and supplementing chapter 62 of Title 18A of the New
4 Jersey Statutes.

5
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

8
9 ¹1. 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 is**
13 **called to partial or full mobilization for State or federal active duty as a**
14 **member of the National Guard or a Reserve component of the Armed**
15 **Forces of the United States】** due to deployment, mobilization,
16 reassignment, or other military obligation as a service member shall be
17 entitled to the options set forth in this section with respect to the
18 student's grade for the course.

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

- 21 (1) receive a letter grade; or
22 (2) receive a grade of pass or fail; or
23 (3) receive a grade of incomplete; or
24 (4) withdraw from the course.

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

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

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

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

36 f. A student who chooses to accept a grade of pass or fail may,
37 within one year after returning to the New Jersey public institution of
38 higher education, receive a letter grade for the course by completing
39 the work required for the course, in which case the letter grade shall
40 replace the pass or fail grade as the student's grade for the course.

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

43 h. A student who has paid amounts for room, board or fees shall,
44 except as provided in subsection g. of this section, receive a refund of
45 that portion of those amounts attributable to the time period during

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:

¹Senate SHI committee amendments adopted January 30, 2020.

1 which the student did not use the services for which payment was
2 made.

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

6 j. As used in this section, “service member” means an individual
7 who is serving as a member of a Reserve component of the Armed
8 Forces of the United States, or as a member of the National Guard, or
9 on active duty as a member of the Armed Forces of the United States.¹
10 (cf: P.L.1997, c. 377, s.1)

11
12 ¹**[1.]** 2. (New section)¹ a. As used in this section:

13 “Service member” means an individual who is serving ¹**[**on
14 active duty as a member of the Armed Forces of the United States, **]**
15 as a member of¹ a Reserve component ¹**[**thereof¹**]** of the Armed
16 Forces of the United States¹ , or ¹as a member of¹ the National Guard
17 ¹, or on active duty as a member of the Armed Forces of the United
18 States¹.

19 “Veteran” means an individual who served ¹**[**on active duty in
20 the Armed Forces of the United States, **]** as a member of¹ a Reserve
21 component ¹**[**thereof¹**]** of the Armed Forces of the United States¹ , or
22 ¹as a member of¹ the National Guard, ¹or on active duty in the Armed
23 Forces of the United States,¹ and who was honorably discharged or
24 released under honorable circumstances from active service.

25 b. ¹**[**In the event that a service member enrolled in a course at a
26 public institution of higher education is unable to complete a course
27 due to deployment, reassignment, or other military obligation, the
28 institution shall issue a full refund of tuition and fees attributable to
29 that course to the service member.

30 c. ¹**[**Notwithstanding any provision of law to the contrary, each
31 public institution of higher education shall establish policies and
32 procedures to permit the late registration of a student who is a
33 veteran or a service member upon the student’s return from
34 deployment, ¹mobilization,¹ reassignment, or other military
35 obligation. The institution shall not charge a late fee or similar
36 penalty on a registration submitted pursuant to this subsection.

37 Nothing in this subsection shall be construed to require any
38 public institution of higher education to admit a student or to waive
39 its admission standards.

40
41 ¹**[2.]** 3.¹ This act shall take effect immediately and shall first
42 apply to the first full academic year following the date of
43 enactment.