

ASSEMBLY, No. 375

STATE OF NEW JERSEY

217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

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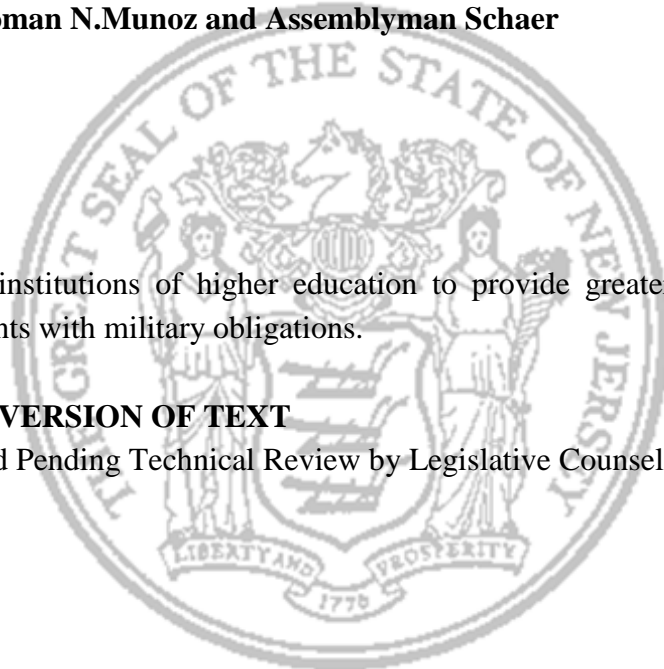
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Rumana, McGuckin, O'Scanlon, Space, Dancer, A.M.Bucco,
Assemblywoman N.Munoz and Assemblyman Schaer**

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.



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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 is
13 called to partial or full mobilization for State or federal active duty
14 as a member of the National Guard or a Reserve component of the
15 Armed Forces of the United States , including calls for monthly
16 drills, annual training, and any active duty whether voluntary or
17 involuntary, shall be entitled to the options set forth in this section
18 with respect to the student's grade for the course.

19 b. A student who has completed at least eight weeks of
20 attendance 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
30 the opinion of the faculty member teaching the course, the student
31 has completed sufficient work, and there is sufficient evidence of
32 progress toward meeting the requirements of the course, to justify
33 the grade.

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

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

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

45 h. A student who has paid amounts for room, board or fees
46 shall, except as provided in subsection g. of this section, receive a

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 refund of that portion of those amounts attributable to the time
2 period during which the student did not use the services for which
3 payment was made.

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

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

8

9 2. (New section) Each public and independent institution of
10 higher education shall adopt and implement policies and procedures
11 to assist a student enrolled in the institution, who is serving as a
12 member of the National Guard or a Reserve component of the
13 Armed Forces of the United States, to meet the student's military
14 obligations without loss of academic status or opportunity. The
15 policies and procedures shall provide that:

16 a. the student shall receive from the institution at which the
17 student is enrolled notification each semester of his higher
18 education rights and benefits as a member of the National Guard or
19 a Reserve component of the Armed Forces of the United States
20 enrolled in the institution including, but not limited to, those
21 established pursuant to section 1 of P.L.1997, c.377 (18A:62-4.2),
22 sections 3 and 4 of P.L. , c. (C.) (pending before the
23 Legislature as this bill), and any other section of law . These rights
24 and benefits shall be prominently displayed on the website of the
25 institution; and

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

31

32 3. (New section) a. Each public or independent institution of
33 higher education shall direct a student who is serving as a member
34 of the National Guard or a Reserve component of the Armed Forces
35 of the United States to notify each professor or instructor of his
36 military obligations upon enrollment in the course or as soon as is
37 reasonably possible once those obligations become known to the
38 student.

39 b. In the event that a professor or instructor receives
40 notification from a student of the student's military obligations
41 pursuant to subsection a. of this section, the professor or instructor
42 shall initiate communications with the student about each party's
43 academic obligations when the student's military obligations
44 interrupt coursework. The professor or instructor and the student
45 shall enter into a contract that details each party's academic
46 obligations. Each institution of higher education shall develop a
47 standard template for the contract through a negotiated process
48 involving representatives of the administration, faculty unions, and

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1 veterans groups. The template shall require the signature of the
2 professor or instructor, the student, and the direct supervisor of the
3 faculty member.

4 c. The professor or instructor shall, to the extent feasible, offer
5 the 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.

9 d. In the event that the professor or instructor refuses to abide
10 by the terms of the contract established pursuant to subsection b. of
11 this section, the professor or instructor shall be subject to the
12 regular disciplinary process established for the institution by its
13 governing board.

14
15 4. (New section) a. Each public and independent institution of
16 higher education shall accept and apply towards a degree program
17 the credit recommendation of the American Council on Education
18 for a student's military experience, up to a maximum of 30 credits
19 for a student enrolled in the institution. The credit recommendation
20 represents college-level equivalencies based on a review of
21 workforce training, military training or occupations, and other
22 sources of learning outside the college classroom.

23 b. Nothing in this section shall be construed to require any
24 public or independent institution of higher education to admit a
25 student or to waive its admission standards and application
26 procedures.

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

31
32 5. (New section) Notwithstanding the provisions of any law,
33 rule, or regulation to the contrary, the provisions of P.L.1997,
34 c.377 (C.18A:62-4.2) and P.L. , c. (C.) (pending before the
35 Legislature as this bill) shall be enforced by the New Jersey
36 Department of Military and Veterans Affairs and complaints
37 concerning violations shall be made to that department.

38
39 6. This act shall take effect immediately and shall first apply to
40 the 2016-2017 academic year.

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43 STATEMENT

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45 Current law provides a student at a New Jersey public institution
46 of higher education who is unable to complete a course because the
47 student is called to partial or full mobilization for State or federal
48 active duty as a member of the National Guard or a Reserve

1 component of the Armed Forces of the United States with certain
2 options regarding his grade for the course. As amended, this bill
3 amends the law to ensure that it applies to students who could not
4 complete the coursework due to monthly drills, annual training, and
5 any active duty whether it be voluntary or involuntary.

6 The bill directs each public and independent institution of higher
7 education to adopt and implement policies and procedures that will
8 assist a student enrolled in the institution, who is serving as a
9 member of the National Guard or a Reserve component of the
10 Armed Forces of the United States, to meet the student's military
11 obligations without loss of academic status or opportunity. Under
12 the bill, the policies and procedures must provide for:

13 (1) the student to receive notification from the institution at
14 which the student is enrolled each semester of his higher education
15 rights and benefits as a member of the National Guard or a Reserve
16 component of the Armed Forces of the United States enrolled in the
17 institution. The institution must display these rights and benefits on
18 its website; and

19 (2) accommodations to the student for each class missed by the
20 student due to military obligation, including where appropriate the
21 provision of lecture notes from the professor or instructor, access to
22 a tutor, and at least five days per each missed class to enable the
23 student to complete coursework.

24 Under the bill, each public or independent institution of higher
25 education must direct a student who is serving as a member of the
26 National Guard or a Reserve component of the Armed Forces of the
27 United States to notify each professor or instructor of his military
28 obligations upon enrollment in the course or as soon as is
29 reasonably possible once those obligations become known to the
30 student. The professor or instructor must then initiate
31 communications with the student about each party's academic
32 obligations when the student's military obligations interrupt
33 coursework. The professor or instructor and the student must also
34 enter into a contract that details each party's academic obligations.
35 The professor or instructor must, to the extent feasible, offer the
36 student options to complete coursework remotely through a
37 modified curriculum that utilizes the Internet and other means, in
38 the event that the student's military obligations prevent attendance
39 at class. In the event that the professor or instructor refuses to abide
40 by the contract, the professor or instructor will be subject to the
41 regular disciplinary process established for the institution by its
42 governing board.

43 The bill directs public and independent institutions of higher
44 education to accept and apply towards a degree program the credit
45 recommendation of the American Council on Education for a
46 student's military experience, up to a maximum of 30 credits for a
47 student enrolled in the institution. Nothing in the bill prevents an
48 institution from accepting and applying towards a degree program

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1 more than 30 credits for a student's military experience should the
2 institution choose to do so.

3 Finally, the bill provides that certain State laws pertaining to the
4 higher education rights of students with military obligations will be
5 enforced by the New Jersey Department of Military and Veterans
6 Affairs and complaints concerning violations can be made to that
7 department.