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ASSEMBLY, No. 2218

STATE OF NEW JERSEY

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By Assemblymen AZZOLINA, GEIST, Carroll, Malone, Cohen,
Corodemus, Rocco, Roma, Dalton, Blee and Assemblywoman
J. Smith

1 AN ACT concerning certain students at New Jersey ¹public¹
2 institutions of higher education and supplementing chapter 62 of
3 Title 18A of the New Jersey Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 ¹1. a. A student at a New Jersey public institution of higher
9 education who is unable to complete a course because the student is
10 called to partial or full mobilization for State or federal active duty as
11 a member of the National Guard or a Reserve component of the
12 Armed Forces of the United States shall be entitled to the options set
13 forth in this section with respect to the student's grade for the course.

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

- 16 (1) receive a letter grade; or
17 (2) receive a grade of pass or fail; or
18 (3) receive a grade of incomplete; or
19 (4) withdraw from the course.

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

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

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

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

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AED committee amendments adopted March 3, 1997.

1 education.

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

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

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

14 i. Any refund payable to a student who is a financial aid recipient
15 shall be subject to the applicable State and federal regulations
16 regarding refunds.¹

17

18 ¹[1. A student who is a member of the New Jersey National Guard
19 or of the Reserve component of the Armed Forces of the United
20 States, and who is unable to complete a course or courses at a New
21 Jersey institution of higher education because the student is called to
22 partial or full mobilization for State or federal active duty, shall be
23 entitled to receive a grade in each course for which the student has
24 completed a minimum of eight weeks' attendance and all other
25 academic requirements during that period. The grade shall be based
26 upon the work which the student had completed up to the time when
27 the student was called to active service.]¹

28

29 ¹[2. Any student who has not completed a minimum of eight
30 weeks' attendance and all other academic requirements during that
31 period in a course or who does not wish to receive a grade on the
32 basis provided for in section 1 of this act shall be entitled to receive:
33 a. a grade of incomplete in that course which shall remain valid for a
34 period of one year after the date on which the student returns to study
35 at the institution; b. a grade of pass/fail in that course; or c. a refund
36 of tuition and fees for that course.]¹

37

38 ¹[3. Any student who has paid room, board, or other fees to the
39 institution shall be entitled to a refund of the portion of those charges
40 attributable to the time period in which the facilities or services were
41 not used by the student.]¹

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43 ¹[4.] 2.¹ This act shall take effect immediately and shall apply to
44 the ¹[1995-96] 1997-98¹ academic year and thereafter.

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3 Establishes certain rights for students attending New Jersey public
4 institutions of higher education who are mobilized for State or federal
5 active duty.