CHAPTER 377

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

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

C.18A:62-4.2 Options for student at public institution of higher education unable to complete course due to military service.

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

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

(1) receive a letter grade; or

(2) receive a grade of pass or fail; or

(3) receive a grade of incomplete; or

(4) withdraw from the course.

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

(1) receive a grade of incomplete; or

(2) withdraw from the course.

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

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

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

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

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

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

2. This act shall take effect immediately and shall apply to the 1997-98 academic year and thereafter.

Approved January 19, 1998.