

[Second Reprint]  
SENATE, No. 1330

STATE OF NEW JERSEY

INTRODUCED JUNE 13, 1996

By Senators BUBBA and GIRGENTI

1 AN ACT concerning certain students at New Jersey <sup>1</sup>public<sup>1</sup>  
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:

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8 <sup>2</sup>1. 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  
30 education.

31 f. A student who chooses to accept a grade of pass or fail may,

**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:

<sup>1</sup> Senate SSV committee amendments adopted September 19, 1996.

<sup>2</sup> Senate floor amendments adopted October 24, 1996.

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

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

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

12 i. Any refund payable to a student who is a financial aid recipient  
13 shall be subject the applicable State and federal regulations regarding  
14 refunds.<sup>2</sup>

15  
16 <sup>2</sup>[1. A student who is a member of the New Jersey National Guard  
17 or of the Reserve component of the Armed Forces of the United  
18 States, and who is unable to complete a course or courses at a New  
19 Jersey <sup>1</sup>public<sup>1</sup> institution of higher education because the student is  
20 called to partial or full mobilization for State or federal active duty,  
21 shall be entitled to receive a grade in each course for which the student  
22 has completed a minimum of eight weeks' attendance and all other  
23 academic requirements during that period. The grade shall be based  
24 upon the work which the student had completed up to the time when  
25 the student was called to active service.]<sup>2</sup>

26  
27 <sup>2</sup>[2. Any student who has not completed a minimum of eight weeks'  
28 attendance and all other academic requirements during that period in  
29 a course or who does not wish to receive a grade on the basis provided  
30 for in section 1 of this act shall be entitled to receive: a. a grade of  
31 incomplete in that course which shall remain valid for a period of one  
32 year after the date on which the student returns to study at the  
33 institution; b. a grade of pass/fail in that course; or c. a refund of  
34 tuition and fees for that course.]<sup>2</sup>

35  
36 <sup>2</sup>[3. Any student who has paid room, board, or other fees to the  
37 institution shall be entitled to a refund of the portion of those charges  
38 attributable to the time period in which the facilities or services were  
39 not used by the student.]<sup>2</sup>

40  
41 <sup>2</sup>[4.] 2.<sup>2</sup> This act shall take effect immediately and shall apply to  
42 the <sup>1</sup>[1995-96] 1996-97<sup>1</sup> 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.