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**AB-2894 Postsecondary education: students called to active military duty during an academic term.**  
(2017-2018)

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Date Published: 09/11/2018 09:00 PM

**Assembly Bill No. 2894**

**CHAPTER 346**

An act to add Chapter 2.7 (commencing with Section 99130) to Part 65 of Division 14 of Title 3 of the Education Code, relating to postsecondary education.

[ Approved by Governor September 11, 2018. Filed with Secretary of State September 11, 2018. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 2894, Gloria. Postsecondary education: students called to active military duty during an academic term.

Existing law establishes the California Community Colleges, the California State University, the University of California, independent institutions of higher education, and private postsecondary educational institutions as the 5 segments of postsecondary education in this state.

Existing law requires public and private postsecondary educational institutions to refund 100% of the tuition and fees paid by a student to the institution for the academic term in which the student was required to report for military service, regardless of whether the student was called to military service before the academic term had commenced or after the academic term had commenced.

This bill would provide that, subject to applicable federal, state, and institutional refund and withdrawal policies, when a student, as defined, is called to active military duty during an academic term, the student may: choose to withdraw from the institution, retroactive to the beginning of the academic term; if at least 75% of the term has been completed, choose to request that the faculty member assign a grade for the course based on the work the student has completed, as specified; or, if the faculty member assigns a grade of Incomplete for the student's coursework, the student has a minimum of 4 weeks after returning to the institution to complete the course requirements, as prescribed. Under the bill, a student would be defined as a person enrolled, or previously enrolled, at a campus of any of the 5 segments of postsecondary education listed above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Chapter 2.7 (commencing with Section 99130) is added to Part 65 of Division 14 of Title 3 of the Education Code, to read:

**CHAPTER 2.7. Students Called to Active Military Duty**

**99130.** (a) Subject to applicable federal, state, and institutional refund and withdrawal policies, when a student is called to active military duty during an academic term, the student may choose one of the following options:

(1) The student may withdraw from the institution, retroactively to the beginning of the academic term, with a full refund of tuition and fees in accordance with Section 824 of the Military and Veterans Code.

(2) If at least 75 percent of the academic term has been completed, the student may request that the faculty member assign a grade for the course based on the work the student has completed. The faculty member shall make the final decision as to whether to grant the student's request.

(3) If the faculty member assigns a grade of Incomplete for the student's coursework, the student shall have a minimum of four weeks after returning to the institution to complete the course requirements. Additional time may be granted if alternative arrangements are made with the faculty member, and provided that the alternative arrangements are consistent with the requirements of Section 824 of the Military and Veterans Code. An institution shall also comply with the requirements of Section 668.18 of Title 34 of the Code of Federal Regulations, or a successor provision, regarding the procedures and timelines for the readmission of a military student.

(b) For purposes of this chapter:

(1) "Institution" means a campus of any of the segments of postsecondary education, as that term is defined in Section 66010.95.

(2) "Student" means a person enrolled, or previously enrolled, at an institution.