
Higher Education Committee

SB 5343

Brief Description: Concerning the rights of higher education students involved in military service.

Sponsors: Senators Bailey, Rivers, Hobbs, Kline, Mullet, Fain, Frockt, Billig, Shin, Tom, Conway and Roach; by request of Washington State Bar Association.

Brief Summary of Bill

- Requires institutions of higher education to provide make-up classes, exams, or other make-up events to National Guard members or other military reservists called to active duty or training for 30 days or less without prejudice to the final course grade or evaluation.

Hearing Date: 3/5/13

Staff: Madeleine Thompson (786-7304).

Background:

Under state statute, a student of a public higher education institution who is a member of the Washington National Guard or other military reserve and who is ordered into active state or federal military service for longer than 30 days has certain rights. After providing documentation of orders, the student may:

- withdraw from courses without negative annotation on his or her transcript or record and have tuition and fees credited to his or her account;
- be given a grade of incomplete with an opportunity to complete the course upon release from duty; or
- continue and complete the course for full credit without penalty for any missed classes. The student may still be required to complete necessary assignments, and the award of a grade and credit is subject to the instructor's determination that sufficient work has been completed and sufficient progress demonstrated to justify the grade.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Students who withdraw must be readmitted and enrolled without penalty within one year following release from active duty. Students are also entitled to receive a refund of amounts paid for room, board, and fees that are attributable to the time they were in the military and which they did not use. Any refunds of tuition and fees or room and board are subject to requirements of state or federal financial aid programs that were the source of funds.

These protections are minimums; institutions can provide additional options or protections for students.

Summary of Bill:

Higher education students who are members of the Washington National Guard or other military reserve and who are ordered to active or inactive state or federal service for a period of 30 days or less, are entitled to make-up classes or exams without prejudice to the final course grade or evaluation. If a student misses a class, test, exam, laboratory, or other event due to their service or medical appointments for injuries incurred during service, then the student is entitled to make up the missing class, test, exam, laboratory, or other event. The make-up class, test, or other event must be scheduled after the member's return from service and after a reasonable time for the student to prepare for the event. Class sessions a student misses due to performance of military service must be counted as excused absences and may not be used in any way to adversely impact the student's grade or class standing.

If the faculty member teaching the course determines that the student completed sufficient work and demonstrated sufficient progress toward meeting course requirements to justify the grade without making up the class, test, examination, or other event, the grade may be awarded without the make-up work. However, the missed event must not be used to adversely impact the student's grade or standing in the class.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.