

**POLICIES CONCERNING STUDENTS CALLED
TO ACTIVE MILITARY SERVICE**

Submitted for: Action.

Summary: At the October Board Meeting, staff were asked to review institutional policies in place to protect student members of the National Guard or Reserves called into active military duty. To respond to the Board's request, staff reviewed current laws aimed at protecting employees and students, and examined institutional policies addressing student tuition refunds and course credit. This item summarizes existing laws and policies affecting employees, students, and financial aid recipients.

Action Requested: That the Board recognizes and appreciates institutional and agency efforts to accommodate students called into active military duty; and encourages institutions and agencies to continue these efforts so no student is adversely affected.

STATE OF ILLINOIS
BOARD OF HIGHER EDUCATION

**POLICIES CONCERNING STUDENTS CALLED
TO ACTIVE MILITARY SERVICE**

On October 2, 2001, the Board asked staff to review the adequacy of policies in place to protect student members of the National Guard or Reserves called into active military duty as a result of the September 11th tragedy. Staff were asked to draft a policy statement for Board review and possible action at the December meeting. To respond to the Board's request, staff asked Illinois public universities and the Illinois Community College Board to submit a copy of any existing policies, which address the treatment of students called into military service. Staff examined these institutional policies, and laws aimed at protecting employees and students called to active military duty. This item discusses and summarizes applicable laws and existing policies affecting employees, students, and student financial aid recipients; and recommends the adoption of a resolution encouraging institutions and agencies to continue to accommodate students affected by military mobilization.

Employees

Federal laws are in place to protect employees called into active military service. Federal law (U.S. Code; Title 38, Chapter 43), the Uniformed Services Employment and Reemployment Act (USERRA), provides protection and rights of reinstatement to employees who participate in either the National Guard or a Reserve component of the United States Armed Forces. A National Guard or Reserve member employed in a civilian job is entitled to re-employment in a position of like seniority, status and pay as long as certain notification and eligibility procedures are followed.

State of Illinois employees, due to an Executive Order issued by Governor Ryan on September 18, 2001, are afforded even greater protection. This Order ensures that employees of the state of Illinois, who are members of a U.S. Armed Forces reserve unit or the National Guard and mobilized to active military duty, will continue to receive regular compensation and benefits from the state, less the amount of the base pay they are receiving for military activities.

Students

On January 22, 1996, in the midst of the Bosnian conflict, the American Council on Education (ACE) issued a letter to the higher education community to address issues regarding the treatment of college and university students called into active military duty. The ACE letter encouraged higher education institutions to adopt policies that afforded men and women called into military action flexibility regarding tuition refunds and course credit. The letter reads, in part, "although federal laws in effect for many years impose obligations on employers and creditors with respect to employees and debtors in active military service, to date these laws have not been extended to colleges and universities regarding students in military service." In response, higher education institutions agreed that voluntary action was preferred over Congressional intervention or federal mandate and established institutional policies to ensure that

students would be treated fairly. In addition, Service Members Opportunity Colleges (SOC), a consortium of about 1,200 colleges and universities, was established during the Persian Gulf call-up to help students facing college credit/refund related difficulties.

In response to the September 11th attacks, the U.S. Department of Education issued a press release and letter on September 24, 2001 that “strongly encourages schools to provide a full refund of required tuition, fees and other institutional charges, or to provide a credit in a comparable amount against future charges for students who are forced to withdraw from school as a result of the military mobilization.” Schools also were urged to provide students with “easy and flexible” re-enrollment options.

In Illinois, public university governing boards and community college boards of trustees have statutory authority to establish tuition and fee levels. Policies regarding student admission, student withdrawal, tuition refunds, and course credit are also developed by these boards. As a consequence, policies governing the treatment of students who withdraw from school due to military obligations vary by institution.

A review of public university policies shows that all Illinois public universities have student military service policies in place which address the treatment of student Reservists and National Guard members. Many of these policies were developed in the 1990s to address circumstances that arose as a consequence of mobilizations during the Persian Gulf War and the Bosnian conflict. While these policies vary by institution, overall themes are evident and certain generalizations can be made. With regard to refunds of tuition and fees, most universities grant either full refunds regardless of the date of withdrawal, or pro-rated refunds depending on the amount of course credit granted. With regard to academic status, most universities allow the student to either withdraw without penalty, or earn partial credit for work completed, or receive an incomplete grade with a reasonable amount of time to make up work. In short, university policies regarding refunds and course credit vary by institution, but all appear to offer students a variety of non-punitive options.

With a total of 35 community colleges responding to a request for a copy or description of their policies concerning students called to active military service, it appears that most community colleges follow a consistent approach. In general, students called up for active duty in the military while enrolled in classes at a community college may withdraw from the classes and receive a full refund of tuition, fees and books. If the call-up occurs after the mid-term of the semester, students in good academic standing may take an incomplete and make up the coursework at a later date. Students that withdraw and receive refunds will have no record of the withdrawal on their transcript. Students who receive an incomplete grade receive no refund, but are allowed to resume their coursework and make up any incomplete work at no additional cost.

With the assistance of the Federation of Independent Illinois Colleges and Universities, BHE staff has also obtained student military service policies from several private colleges and universities, including Wheaton College, Concordia University, McKendree College, Blackburn College and Lewis University. Based on these policies, it appears that independent institutions have established student military service policies consistent with each other, and similar to those at public college and universities. In general, when a student withdraws to fulfill a military obligation, a full refund of tuition and fees is granted if the withdrawal occurs early in the term. If the withdrawal occurs later in the term, students may waive the refund and be granted an incomplete grade and/or placed on a “deferred enrollment” status, which allows them to resume their studies with no re-admission necessary and at no additional cost. Room and board refunds are typically granted on a prorated basis, based on the number of weeks enrolled.

Financial Aid Recipients

The U.S. Department of Education administers federal student financial aid programs, such as the Pell Grant Program and the Federal Family of Education Loan Program (FFELP). The Department's administrative rules address procedures for schools to follow in the event a student withdraws from school, for any reason. In 1991, during Operation Desert Storm, student borrowers who had been called up for active military duty were granted deferment extensions and schools were required to give tuition refunds or credits to student reservists.

The Department's September 24, 2001 letter referenced above also directed lenders, colleges and universities to provide military personnel called to active duty with relief from their student loan obligations. This relief depends on the current status of the loan. If a borrower's FFELP or Federal Direct loans are "in-school" status, "in-school deferment", or "grace period" status, lenders must maintain the loans in that status during the borrower's active duty, not to exceed three years. For borrowers whose loans are in repayment, lenders must grant a forbearance for the expected period of the borrower's active duty, not to exceed a year. Finally, if a borrower is in default on the loan, the guaranty agency or collection agency must cease all collection activities for the expected period of the borrower's military service for up to one year, or until further guidance is provided by the Department. With regard to other federal student financial aid programs, if a student withdraws due to a military call-up or has otherwise been impacted by the military mobilization, schools are required to perform refund return calculations which prorate refunds based on the portion of the term completed, as required by federal statute and regulations. The Department plans to issue additional guidance regarding the treatment of other students affected by the terrorist attacks in an upcoming letter.

As the guarantor of FFELP student loans, the Illinois Student Assistance Commission implements student loan policies in accordance with federal guidelines. In response to the terrorist attacks and the Department's September 24, 2001 letter, the Illinois Student Assistance Commission issued a notice that it will cease collection activities for individuals who are members of the Reserves or National Guard who have been ordered to active military service. The Commission recently issued an *Update* article asking colleges and universities for their assistance to ensure that student financial aid recipients who were mobilized to active military duty are not penalized as a consequence of being called to serve their country in this time of crisis. Since that time, schools have provided positive feedback and are supportive of these efforts to protect students.

Summary/Recommendations

In Illinois, public and private colleges and universities and the Illinois Student Assistance Commission are working to protect student members of the Illinois National Guard or Armed Forces Reserves who are called into active military duty. The institutional and agency policies that have been reviewed indicate that students will not be penalized, either financially or academically, for their participation in military service.

The staff recommends adoption of the following resolution:

The Illinois Board of Higher Education recognizes and appreciates institutional and agency efforts to accommodate students called into active military duty; and encourages institutions and agencies to continue these efforts so no student is adversely affected.

**Illinois Public Universities, Community Colleges and Independent Institutions
Institutional Policies on Student Withdrawal due to Military Activation**

Institutions	Refund Policies - Student Charges				Academic Policy
	Tuition	Fees	Room & Board	Books	Course Credit
Chicago State University	Full refund if called into active military duty.	Not specifically addressed.	Not specifically addressed.	Full refund if called into active military duty.	Returning students re-enroll and academic records are unchanged.
Eastern Illinois University	Full refund if withdraw during the first 4 weeks of the semester. 50 percent refund if withdraw after the 4th week.	Full refund, except for health insurance, if withdraw during the first 4 weeks of the semester. 50 percent refund if withdraw after the 4th week.	Not specifically addressed.	Not specifically addressed.	No grades are granted if withdrawal is during the first 4 weeks of the term; after the 4th week students receive a "W" for withdrawn or "I" for incomplete.
Governors State University	Full refund if withdraw due to being called into active military duty. Can also request early completion or incomplete and make up work later.	Full refund if withdraw due to being called into active military duty. Can also request early completion or incomplete and make up work later.	Not specifically addressed.	Not specifically addressed.	Students may request early completion of coursework; or students may withdraw or seek an incomplete, with coursework to be made up later.
Illinois State University	Full refund, if withdraw before the end of the 12th week of the semester. No refund if withdraw after 12th week.	Full refund, except for health insurance, if withdraw before the end of the 12th week of the semester. No refund if withdraw after 12th week.	Refunds are pro-rated based on time enrolled.	Not specifically addressed.	Before the 12th week, no credit. After 12th week, full credit for coursework, and grades are based on work completed up to the date of withdrawal.
Northern Illinois University	Full refund if called into active military duty.	Fee refunds pro-rated, except for health insurance.	Refunds are pro-rated based on time enrolled.	Not specifically addressed.	Students can either withdraw from the University, or with the instructors approval take an incomplete, with work to be made up at a later date.
Northeastern Illinois University	Full refund, if withdraw before the 4th week of the semester. After the 4th week, students either withdraw and receive a full refund or take an incomplete and no refund.	Full refund, if withdraw before the 4th week of the semester. After the 4th week, students either withdraw and receive a full refund or take an incomplete and no refund.	Not specifically addressed.	Not specifically addressed.	No course credit if withdraw before the 4th week of the semester. After the 4th week, students either withdraw or take an incomplete. These students are allowed a reasonable time to make up academic work.

**Illinois Public Universities, Community Colleges and Independent Institutions
Institutional Policies on Student Withdrawal due to Military Activation**

Institutions	Refund Policies - Student Charges				Academic Policy
	Tuition	Fees	Room & Board	Books	Course Credit
Western Illinois University	Full refund, if withdraw before the 9th week of the semester. After the 9th week, students with a "W" for withdrawal or "I" for incomplete receive a refund.	Full refund, if withdraw before the 9th week of the semester. After the 9th week, students with a W for withdrawal or I for incomplete receive a refund, except for health insurance.	Refunds are pro-rated based on time enrolled.	Not specifically addressed.	Students receive a "W", if withdraw before the 9th week of the semester. After the 9th week, students choose either withdrawal, incomplete, or the earned grade.
Southern Illinois University	Full refund, if withdraw during the 8th week or before. After the 8th week, students that can negotiate an incomplete receive no refund. Pro-rated refunds are given to students receiving partial credit.	Full refund, if withdraw during the 8th week or before. After the 8th week, students that can negotiate an incomplete receive no refund. Pro-rated refunds are given to students receiving partial credit.	Not specifically addressed	Not specifically addressed.	Students either receive a "WMS", Withdrawn for Military Service, "CR" for partial credit or an "I" for Incomplete.
University of Illinois	Full refund, regardless of time of withdrawal, unless some portion of course credit is granted. In that case, refunds are pro-rated to the credit given.	Full refund, except health insurance, regardless of time of withdrawal, unless some portion of course credit is granted. In that case, refunds are pro-rated to the credit given.	Refunds are pro-rated based on length of time enrolled.	Not specifically addressed.	No academic penalty. If withdraw after completion of 75% of the term, shall receive full credit if grade of C or above is achieved. If less than 75%, can receive partial credit, withdraw or take an incomplete.
Community Colleges	Full refund, regardless of time of withdrawal. (If withdrawal is after the mid-term students may take an Incomplete and finish coursework at a later date.)	Full refund, regardless of time of withdrawal; unless the Incomplete option is utilized.	Full refund, regardless of time of withdrawal; unless the Incomplete option is utilized.	Not applicable.	Students that withdraw receive a full refund and no record of the withdrawal on the transcript. Students that take an Incomplete, finish coursework at a later date.
Private College and Universities	Full refund, if withdrawal early in the term. Students may take an Incomplete and finish coursework at a later date.	Full refund, if withdrawal early in the term. Students may take an Incomplete and finish coursework at a later date.	Refunds are pro-rated based on length of time enrolled.	Not specifically addressed.	Students that receive an Incomplete and/or are put on deferred enrollment status finish coursework at a later date.