

CHAPTER 70**DISPLACED HOMEMAKER PROGRAMS****Authority**

N.J.S.A. 52:27D-43.24c.

Source and Effective Date

R.2010 d.039, effective January 11, 2010.
See: 41 N.J.R. 2756(a), 42 N.J.R. 929(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1.c(2), Chapter 70, Displaced Homemaker Programs, expires on July 10, 2017. See: 49 N.J.R. 304(a).

Chapter Historical Note

Chapter 60, Displaced Homemaker Programs, was adopted as R.1994 d.311, effective June 20, 1994. See: 26 N.J.R. 1622(b), 26 N.J.R. 2568(c). Pursuant to Executive Order No. 66(1978), Chapter 60 expired on June 20, 1999.

Chapter 60, Displaced Homemaker Programs, was adopted as new rules by R.1999 d.261, effective August 16, 1999. See: 31 N.J.R. 1408(a), 31 N.J.R. 2333(b).

Chapter 60, Displaced Homemaker Programs, was readopted as R.2005 d.51, effective January 7, 2005. See: 36 N.J.R. 3224(a), 37 N.J.R. 502(a).

Chapter 60, Displaced Homemaker Programs, was readopted as R.2010 d.039, effective January 11, 2010. See: Source and Effective Date.

Chapter 70, Displaced Homemaker Programs, was recodified from N.J.A.C. 5:60, Displaced Homemaker Programs, by administrative change, effective January 3, 2017. As part of the recodification, attendant technical changes were made to the rule text concerning cross-references, agency names, addresses, etc. See: 49 N.J.R. 98(a).

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 70, Displaced Homemaker Programs, was scheduled to expire on January 11, 2017. See: 43 N.J.R. 1203(a).

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SUBCHAPTER 1. GENERAL PROVISIONS**3A:70-1.1 Title**

The rules in this chapter may be known and cited as the "Regulations Governing Grants from Displaced Homemaker Trust Fund."

3A:70-1.2 Purpose

The purpose of the Displaced Homemaker Trust Fund is to provide a funding source to support programs for displaced homemakers as described in this chapter and as identified by the Division on Women in the Department of Community Affairs pursuant to N.J.S.A. 52:27D-43.20. These rules are intended to govern the disbursement of grants-in-aid from the Displaced Homemaker Trust Fund to such programs.

SUBCHAPTER 2. ELIGIBILITY REQUIREMENTS**3A:70-2.1 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

"Commissioner" means the Commissioner of the Department of Community Affairs.

"Director" means the Director of the Division on Women, Department of Community Affairs.

"Displaced homemaker" means an individual who has:

1. Not worked in the labor force for a substantial number of years;
2. Has, during the years of not working in the labor force, worked in the home providing unpaid services for family members;
3. Was, during the years of not working in the labor force, dependent upon the income of another family member, but is no longer supported by that income; and
4. Is a person who is:
 - i. Receiving public assistance because of dependent children in the home, but is within one year of no longer being eligible for that assistance; or
 - ii. Unemployed or underemployed and experiencing difficulty in obtaining or upgrading employment; or
 - iii. At least 40 years of age.

"Displaced Homemaker Trust Fund" means a trust fund administered by the Department of Community Affairs, which contains funds from divorce filing fees pursuant to P.L. 1993, c.188.

"Division" means the Division on Women, Department of Community Affairs.

3A:70-2.2 Qualified existing programs

The Division on Women shall identify qualified existing programs funded as displaced homemaker programs as of January 1, 1994, pursuant to P.L. 1979, c.125.

3A:70-2.3 Program requirements

(a) In order to be eligible for funding, programs must provide, at a minimum, the following services:

1. Job counseling;
2. Job training and placement;
3. Health education and counseling;
4. Financial management;
5. Educational services;
6. Legal counseling and referral; and
7. Outreach and information.

representatives of the displaced homemaker community and shall reflect the racial, ethnic, regional and economic diversity of the State's population.

(e) Awards shall be set at the discretion of the Commissioner of the Department of Community Affairs, upon the recommendation of the Division on Women and shall not, in the aggregate, exceed the amount of money collected and deposited in the Displaced Homemaker Trust Fund.

(f) The Department of Community Affairs may award a program sponsor an amount different from the amount requested; provided, however, that, to the extent that available funds allow, each qualified existing program shall receive at least the amount established as a minimum by the Division on Women.

(g) New programs established after January 1, 1994 are not designated as "qualified existing programs." The Division on Women shall determine eligibility for new programs to receive the minimum funding amount through utilization of the following criteria:

1. The program must provide services listed in N.J.A.C. 3A:70-2.3;
2. Preference will be given to programs located in a county or region where there are no Division on Women Programs;
3. The program must have an institutional or community based host agency to provide support services and facilities; and
4. The program must document the need for its services in the region or community in which it proposes to be located.

(h) Continuation of the minimum level of funding shall be conditioned upon the compliance of qualified existing programs and new programs with the requirements of the Displaced Homemaker Act; regulations promulgated by the Division on Women pursuant to P.L. 1993, c.188; the terms and provisions of the grant agreements to be executed between the Division and the aforementioned programs; and the efficient and effective provision of services to displaced homemakers by such programs.

SUBCHAPTER 3. PROCEDURAL REQUIREMENTS**3A:70-3.1 Procedures for funding**

(a) The Division on Women shall initially prepare and distribute a request for proposals (RFP) to sponsors of qualified existing programs as of January 1, 1994 and shall establish a minimum level of funding for those programs. When all qualified existing programs have reached the minimum level of funding, the Division shall issue an open competitive RFP in order to fund new programs, with preference to be given to programs proposed in counties not served by qualified existing programs.

(b) Notice of each RFP shall be published in the New Jersey Register and shall be distributed to all potentially eligible program sponsors known to the Division.

(c) In order to be eligible for consideration, a program sponsor must submit its proposal within the time period indicated in the notice of the RFP in the New Jersey Register.

(d) All proposals shall be reviewed by a committee appointed by the Director of the Division that shall include

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N.J.S.A. 52:27D-43.9a and 52:27D-43.24c.

Source and Effective Date

R.2017 d.129, effective May 31, 2017.
See: 49 N.J.R. 304(a), 49 N.J.R. 1847(b).

Chapter Expiration Date

Chapter 70, Displaced Homemaker Programs, expires on May 31, 2024.

Chapter Historical Note

Chapter 60, Displaced Homemaker Programs, was adopted as R.1994 d.311, effective June 20, 1994. See: 26 N.J.R. 1622(b), 26 N.J.R. 2568(c). Pursuant to Executive Order No. 66(1978), Chapter 60 expired on June 20, 1999.

Chapter 60, Displaced Homemaker Programs, was adopted as new rules by R.1999 d.261, effective August 16, 1999. See: 31 N.J.R. 1408(a), 31 N.J.R. 2333(b).

Chapter 60, Displaced Homemaker Programs, was readopted as R.2005 d.51, effective January 7, 2005. See: 36 N.J.R. 3224(a), 37 N.J.R. 502(a).

Chapter 60, Displaced Homemaker Programs, was readopted as R.2010 d.039, effective January 11, 2010. See: 41 N.J.R. 2756(a), 42 N.J.R. 929(a).

Chapter 70, Displaced Homemaker Programs, was recodified from N.J.A.C. 5:60, Displaced Homemaker Programs, by administrative change, effective January 3, 2017. As part of the recodification, attendant technical changes were made to the rule text concerning cross-references, agency names, addresses, etc. See: 49 N.J.R. 98(a).

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 70, Displaced Homemaker Programs, was scheduled to expire on January 11, 2017. See: 43 N.J.R. 1203(a).

Chapter 70, Displaced Homemaker Programs, was readopted as R.2017 d.129, effective May 31, 2017. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS**3A:70-1.1 Purpose**

The purpose of the Displaced Homemaker Trust Fund is to provide a funding source to support programs for displaced homemakers as described in this chapter and as identified by the Division on Women, pursuant to N.J.S.A. 52:27D-43.20. This chapter governs the disbursement of grants-in-aid from the Displaced Homemaker Trust Fund to these programs.

Recodified from N.J.A.C. 3A:70-1.2 and amended by R.2017 d.129, effective July 3, 2017.

See: 49 N.J.R. 304(a), 49 N.J.R. 1847(b).

Substituted a comma for "in the Department of Community Affairs" following "Women", and substituted "This chapter governs" for "These rules are intended to govern" and "these" for "such". Former N.J.A.C. 3A:70-1.1, Title, repealed.

3A:70-1.2 Scope

This chapter shall apply to each displaced homemaker program that applies for or receives a grant from the Displaced Homemaker Trust Fund.

New Rule, R.2017 d.129, effective July 3, 2017.

See: 49 N.J.R. 304(a), 49 N.J.R. 1847(b).

Former N.J.A.C. 3A:70-1.2, Purpose, recodified to N.J.A.C. 3A:70-1.1.

3A:70-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

"Commissioner" means the Commissioner of the Department of Children and Families.

"Director" means the Director of the Division on Women, Department of Children and Families.

"Displaced homemaker" means an individual who:

1. Has not worked in the labor force for a substantial number of years;
2. Has, during the years of not working in the labor force, worked in the home providing unpaid services for family members;
3. Was, during the years of not working in the labor force, dependent upon the income of another family member, but is no longer supported by that income; and

4. Is a person who is:

- i. Receiving public assistance because of dependent children in the home, but is within one year of no longer being eligible for that assistance;
- ii. Unemployed or underemployed and experiencing difficulty in obtaining or upgrading employment; or
- iii. At least 40 years of age.

"Displaced Homemaker Trust Fund" means a trust fund administered by the Department, which contains funds from divorce or the dissolution of civil union filing fees pursuant to N.J.S.A. 52:27D-43.19 et seq.

"Division" means the Division on Women, Department of Children and Families.

Recodified from N.J.A.C. 3A:70-2.1 and amended by R.2017 d.129, effective July 3, 2017.

See: 49 N.J.R. 304(a), 49 N.J.R. 1847(b).

Substituted "Children and Families" for "Community Affairs" throughout; in definition "Displaced homemaker", in the introductory paragraph, deleted "has" following "who", in paragraph 1, substituted "Has not" for "Not", and in paragraph 4i, deleted "or" from the end; and rewrote definition "Displaced Homemaker Trust Fund".

SUBCHAPTER 2. ELIGIBILITY REQUIREMENTS

3A:70-2.1 Program requirements

(a) In order to be eligible for funding, programs must provide, at a minimum, the following services:

1. Job counseling;
2. Job training and placement;
3. Health education and counseling;
4. Financial management;
5. Educational services;
6. Legal counseling and referral; and
7. Outreach and information.

Recodified from N.J.A.C. 3A:70-2.3 by R.2017 d.129, effective July 3, 2017.

See: 49 N.J.R. 304(a), 49 N.J.R. 1847(b).

Former N.J.A.C. 3A:70-2.1, Definitions, recodified to N.J.A.C. 3A:70-1.3.

3A:70-2.2 (Reserved)

Repealed by R.2017 d.129, effective July 3, 2017.

See: 49 N.J.R. 304(a), 49 N.J.R. 1847(b).

Section was "Qualified existing programs".

3A:70-2.3 (Reserved)

Recodified to N.J.A.C. 3A:70-2.1 and amended by R.2017 d.129, effective July 3, 2017.

See: 49 N.J.R. 304(a), 49 N.J.R. 1847(b).

Section was "Program requirements".

SUBCHAPTER 3. PROCEDURAL REQUIREMENTS

3A:70-3.1 Procedures for funding

(a) Notice of each request for proposals (RFP) shall be distributed to all potentially eligible program sponsors known to the Division.

(b) In order to be eligible for consideration, a program sponsor must submit its proposal within the time period indicated in the notice of the RFP.

(c) All proposals shall be reviewed by a committee that shall include representatives who reflect the racial, ethnic, regional, and economic diversity of the State's population.

(d) Awards shall be set at the discretion of the Commissioner, upon the recommendation of the Division, and shall not, in the aggregate, exceed the amount of money collected and deposited in the Displaced Homemaker Trust Fund.

(e) The Department may award a program sponsor an amount different from the amount requested.

(f) The Division shall determine eligibility for programs to receive funding through utilization of the following criteria:

1. The program must provide services listed in N.J.A.C. 3A:70-2.1(a) above;

2. Preference will be given to programs located in a county or region where there are no displaced homemaker programs;

3. The program must have an institutional- or community-based host agency to provide support services and facilities;

4. The program must document the need for its services in the region or community in which it proposes to be located and which is reflective of the racial, ethnic, and economic diversity of the region;

5. The program must demonstrate collaborations and partnerships with workforce programs and education and higher education systems; and

6. The program must have existing employment-related services.

(g) Continuation of the level of funding shall be conditioned upon the compliance of programs with the requirements of the Displaced Homemaker Act; rules promulgated by the Division pursuant to N.J.S.A. 52:27D-43.19 et seq.; the terms and provisions of the grant agreements to be executed between the Division and the aforementioned programs; and the efficient and effective provision of services to displaced homemakers by these programs.

Amended by R.2017 d.129, effective July 3, 2017.

See: 49 N.J.R. 304(a), 49 N.J.R. 1847(b).

Rewrote the section.