

§3785. Sanctions

An individual may not be sanctioned under this program or Temporary Assistance for Needy Families for failure to participate in the ASPIRE-TANF program if that failure to participate is based on good cause. Each individual participating in an ASPIRE-TANF orientation must receive written and oral notice of what constitutes good cause for nonparticipation in ASPIRE-TANF including the domestic violence exception. Good cause for failure to participate in this program must be found when there is reasonable and verifiable evidence of: [PL 1997, c. 530, Pt. A, §20 (AMD).]

1. Illness or incapacitation. The individual's illness, incapacity or advanced age, or the illness or incapacity of a household member, that requires the individual to provide care in the home; [PL 1993, c. 385, §18 (AMD).]

2. Sexual harassment.
[PL 2017, c. 284, Pt. NNNNNNN, §13 (RP).]

3. Court-required appearance; incarceration. Court-required appearance or incarceration; [PL 1987, c. 856, §7 (NEW).]

4. Lack of supportive services.
[PL 2017, c. 256, §2 (RP).]

5. Inclement weather.
[PL 2017, c. 256, §2 (RP).]

6. Assignment to another activity.
[PL 2017, c. 256, §2 (RP).]

7. Remoteness.
[PL 2017, c. 256, §2 (RP).]

8. Crisis or special circumstance. A crisis, special circumstance or other reason that the department determines to be good cause that causes an individual to be absent from or discontinue a department activity about which the department has been advised, including lack of transportation or child care necessary for participation when the individual does not have reasonable access to that service and the department cannot offer a reasonable alternative to enable the individual to participate. If an individual has access to transportation that is reasonable under the circumstances through any program at the department, the individual is ineligible to receive an exemption based on lack of transportation; or
[PL 2017, c. 284, Pt. NNNNNNN, §14 (AMD).]

9. Good cause.
[PL 1989, c. 839, §8 (RP).]

10. Caretakers of children under 6 years of age.
[PL 1995, c. 418, Pt. A, §28 (RP).]

11. Net loss of cash income.
[PL 1995, c. 418, Pt. A, §28 (RP).]

12. Other good cause.
[PL 2017, c. 256, §2 (RP).]

13. Domestic violence. Inability to participate due to domestic violence when the individual is unable to participate because of physical injuries or the psychological effects of abuse; because of legal proceedings, counseling or other activities related to abuse; because the abuser actively interferes with the individual's participation; because the location puts the individual at risk; or for other good cause related to domestic violence. For the purposes of this subsection, reasonable and verifiable evidence may include but is not limited to the following:

A. Court, medical, law enforcement, child protective, social services, psychological or other records that establish that the individual has been a victim of domestic violence; or [PL 1997, c. 530, Pt. A, §24 (NEW).]

B. Sworn statements from persons other than the individual with knowledge of the circumstances affecting the individual. [PL 1997, c. 530, Pt. A, §24 (NEW).]
[PL 1997, c. 530, Pt. A, §24 (NEW).]

SECTION HISTORY

PL 1987, c. 856, §7 (NEW). PL 1989, c. 839, §§6-9 (AMD). PL 1991, c. 528, §F12 (AMD). PL 1991, c. 528, §RRR (AFF). PL 1991, c. 591, §F12 (AMD). PL 1993, c. 385, §18 (AMD). PL 1995, c. 418, §§A27,28 (AMD). PL 1997, c. 530, §§A20-24 (AMD). PL 2017, c. 256, §2 (AMD). PL 2017, c. 284, Pt. NNNNNNN, §§13, 14 (AMD).

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