



*State of New Jersey*

**DEPARTMENT OF HUMAN SERVICES**

Division of Family Development  
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The following Decision is distributed for your information. This Decision has been made in consideration of the specific facts of this case. This Decision is not to be interpreted as establishing any new mandatory policy or procedure otherwise officially promulgated.

STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 7471-14 B.L.

AGENCY DKT. NO. GA921677 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from the Respondent Agency's imposition of a sanction for the month of May 2014. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On June 30, 2014, the Honorable Sandra Ann Robinson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents. On July 25, 2014, the ALJ issued her Initial Decision reversing the Agency determination.

No exceptions were filed to the Initial Decision.

Based upon Petitioner's credible testimony and the exhibits submitted at the hearing, the ALJ concluded that the Agency's imposition of a sanction under N.J.A.C. 10:90-4.13 was not warranted because Petitioner had good cause for his failure to attend the activity assessment appointment scheduled to occur on May 17, 2014.

As the Director of the Division of Family Development, Department of Human Services, I have considered the record for this matter and the ALJ's Initial Decision, and having made an independent evaluation of the record, I accept and adopt the Findings of Fact and Conclusions of Law as contained in the Initial Decision.

By way of comment, in her Initial Decision the ALJ indicates that the Petitioner has been a Work First New Jersey/General Assistance ("WFNJ/GA") recipient since 2011 and that he recently graduated from community college with a certification in

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Drug and Alcohol Abuse counseling. However, college students are ineligible for WFNJ/GA benefits. See FYE 2013 Appropriations Act (P.L. 2012 c. 18), FYE 2014 Appropriations Act (P.L. 2013, c. 77) and DFDI 12-08-03. It is unclear from the record whether the Petitioner's enrollment at community college for his certification qualified him as a college student, thereby making him ineligible to receive WFNJ/GA benefits. As such, if it has not done so already the Agency shall make a determination as to whether Petitioner was ineligible for WFNJ/GA benefits while enrolled at community college.

Accordingly, the Initial Decision in the action is hereby ADOPTED and the Agency action is REVERSED.

**SEP - 9 2014***Signed Copy on File*  
at DFD, BARA

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Jeanette Page-Hawkins  
Director