

CHAPTER 14-06.1 DISPLACED HOMEMAKER PROGRAM

14-06.1-01. Legislative finding and declaration.

The legislative assembly finds that there are an ever-increasing number of persons in this state who, having fulfilled a role as homemaker, find themselves "displaced" in their middle years through separation, divorce, death or disability of spouse, or other loss of support. As a consequence, displaced homemakers are very often without any source of income; they are usually ineligible for categorical welfare assistance; they are subject to one of the highest unemployment rates of any sector of the workforce; they often face continuing discrimination in employment because they are older and have no recent paid work experience; they are often ineligible for unemployment insurance because they have been engaged in unpaid labor in the home; they are often ineligible for social security because they are too young, and many will never qualify for social security because they have been divorced from the family wage earner; they have often lost their rights as beneficiaries under employers' pension and health plans through divorce or death of spouse, despite many years of contribution to the family well-being; and they are most often ineligible for medical assistance and are generally unacceptable to private health insurance plans because of their age.

It is the intention of the legislative assembly in enacting this chapter to provide the necessary counseling and guidance, job readiness training, and services for displaced homemakers so that they may enjoy the independence and economic security vital to a productive life and to improve the health and welfare of this ever-growing group of citizens.

14-06.1-02. Definitions.

1. "Department" means the department of public instruction.
2. "Displaced homemaker" means an individual who:
 - a. Has worked in the individual's home providing unpaid services for household members;
 - b. Has been or is unemployed or underemployed;
 - c. Has had or will have difficulty finding employment; and
 - d. (1) Is widowed, divorced, separated, or abandoned; or
(2) Because of the disability of the individual's spouse, is displaced from the individual's former economically dependent role.
3. "Superintendent" means the superintendent of public instruction.

14-06.1-03. Grants - Design and staff.

The superintendent is authorized to enter into contracts with and make grants to nonprofit agencies or organizations to carry out the programs, as enumerated in sections 14-06.1-06, 14-06.1-07, 14-06.1-08, 14-06.1-09, and 14-06.1-10. Service centers must be designed and staffed as follows:

1. The service centers shall provide personal and employment counseling; interpersonal skill building; job readiness, job search, and employability training; information and community referral services; and appropriate public information and community education.
2. Each center must be organized to include an outreach component capable of delivering the full range of services to groups of displaced homemakers in rural communities.
3. Counseling services must be delivered via individual, task-oriented group, and peer support methods. Counseling and guidance must be provided by qualified staff.
4. To the greatest extent possible, the staffing of the service centers, including supervisory, technical, and administrative positions, must be by qualified displaced homemakers and others trained to meet the unique needs of displaced homemakers.

14-06.1-04. Sources of funding and in-kind contributions.

The superintendent shall explore all possible sources of funding and in-kind contributions from federal, state, local, and private sources in establishing displaced homemaker services.

14-06.1-05. Job counseling program - Design - Emphasis.

The service centers shall have a job counseling program for displaced homemakers. Job counseling must be specifically designed for the person reentering the job market after a number of years as a homemaker. The counseling shall take into account and build upon the skills and experiences of a homemaker. Peer counseling and job readiness, as well as skill updating and development, must be emphasized.

14-06.1-06. Job training program - Development - Stipend for trainees.

The service centers shall have job readiness training programs for displaced homemakers. The department may contract or enter into cooperative agreements, or both, with local, state, and federal government agencies, and private employers to develop training programs, or to utilize existing training programs, for available jobs in the public and private sectors for the purpose of promoting self-sufficiency. The job training program may provide a stipend for trainees.

14-06.1-07. Program goals.

Each of the service centers shall develop a goal to serve a stated number of urban and rural displaced homemakers. In addition, the service centers shall develop plans for including displaced homemakers in existing job training and placement programs offered by job service, colleges, career and technical education, or other suitable agencies.

14-06.1-08. Assistance in finding permanent employment for trainee.

Service centers are responsible for assisting in preparing the trainee for employment. The superintendent shall work in cooperation with the appropriate agencies.

14-06.1-09. Service programs.

The service centers shall, in cooperation with other existing service programs, ensure that displaced homemakers receive information and referral services which include:

1. A health counseling and referral clinic based on principles of preventive health care and consumer health education.
2. Money management courses, including information and assistance in dealing with insurance programs (life, health, home, and automobile), taxes, mortgages, loans, and probate problems.
3. Information about other assistance programs, including concrete information and assistance with supplemental security income, social security, veterans administration benefits, welfare, the supplemental nutrition assistance program, housing, unemployment insurance, medical assistance, and educational financial assistance.
4. Educational programs, including courses offered for credit through universities, colleges, or career and technical education training programs, or leading toward a high school equivalency degree. These courses must be designed to supplement the usual academic course offerings with classes geared toward older persons to improve their self-image and abilities.

14-06.1-10. Regulations - Eligibility for programs - Level of stipends - Sliding fee scale for service programs.

The superintendent shall cooperatively establish eligibility requirements with appropriate agencies in accordance with local, state, and federal program regulations to interpret the eligibility of persons for the job readiness training and other programs of the service centers, to establish the level of stipends for the job training programs described in section 14-06.1-06, to establish a sliding fee scale for the service programs described in sections 14-06.1-03 and 14-06.1-09, and to handle other matters as the superintendent deems necessary. Any

interpretation of eligibility for services should have as first priority the service of displaced homemakers, as identified in section 14-06.1-02.

14-06.1-11. Delegation of authority.

The superintendent may delegate any or all of the authority granted by this chapter as the superintendent deems appropriate.

14-06.1-12. Citizen advisory structure - Reimbursement of members.

The superintendent shall establish an advisory body to the department which shall consist of one citizen member representing each planning region of the state and two citizen members to be selected at large. Membership may represent displaced homemakers, local service providers, appropriate agencies, employers, educators, and the general public. The advisory body shall provide public information and community education regarding the program and appropriate recommendations to the superintendent regarding the planning, operation, and evaluation of the activities mandated by this chapter. This body shall annually provide written evaluation of the program to the superintendent who will provide this evaluation to the legislative assembly each biennium in addition to the evaluation required in accordance with section 14-06.1-13. Advisory body members are entitled to be reimbursed for mileage and travel as specified in section 54-06-09 and expenses as specified in section 44-08-04 for attendance at advisory body meetings.

14-06.1-13. Program evaluation.

The superintendent, in cooperation with the advisory body, the administrator of each center, and with appropriate heads of nonprofit agencies or organizations carrying out the programs, shall by January 30, 1985, prepare and furnish to the legislative assembly an evaluation report of all activities conducted pursuant to this mandate. Subsequent evaluations must be provided in like fashion each biennium.

14-06.1-14. Displaced homemaker account - Creation.

There is hereby created in the department a displaced homemaker's account. The superintendent may apply for and accept any funds, grants, gifts, or services made available for displaced homemakers by any agency or department of the federal government or any private agency or individual. The funds, grants, gifts, dissolution of marriage fee assessments, or moneys received from services received pursuant to this section must be placed in the displaced homemaker account and may be spent within the limits of legislative appropriations.

14-06.1-15. Petition for dissolution of marriage, annulment, or separation - Fee assessment.

Repealed by S.L. 1995, ch. 2, § 12.

14-06.1-16. Continuing appropriation.

1. There is hereby appropriated out of any moneys in the displaced homemaker account in the state treasury, not otherwise appropriated, the sum of two hundred fifty thousand dollars per biennium, or so much thereof as may be necessary, to the superintendent of public instruction for the purpose of providing services for displaced homemakers under chapter 14-06.1. At least ninety-five percent of the funds appropriated by this subsection must be used by the superintendent for the direct provision of displaced homemaker services.
2. There is hereby appropriated out of any additional funds that may become available through grants, gifts, or other sources to the superintendent of public instruction for the purpose of providing services for displaced homemakers. Unless otherwise required by federal eligibility standards, at least ninety-five percent of the funds acquired and appropriated to the superintendent by this subsection must be used by the superintendent for the direct provision of displaced homemaker services. Funds

appropriated pursuant to this subsection may be spent only upon approval of the emergency commission.