

# RULE ADOPTIONS

## CHILDREN AND FAMILIES

(a)

### OFFICE OF THE COMMISSIONER

#### Notice of Readoption

#### General Placement Provisions

#### Readoption: N.J.A.C. 3A:13

Authority: N.J.S.A. 9:3A-7f and g; 30:4C-4.c, f, and h; 30:4C-50 et seq.; and 30:4C-101 et seq.

Authorized By: Christine Norbut Beyer, M.S.W., Commissioner, Department of Children and Families.

Effective Date: December 9, 2025.

New Expiration Date: December 9, 2032.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1.c, the rules at N.J.A.C. 3A:13, General Placement Provisions, were scheduled to expire on March 14, 2026.

The rules at N.J.A.C. 3A:13 set forth placement review standards for children who are placed out-of-home and children who are placed in New Jersey by another state. N.J.A.C. 3A:13 further provides the administrative standards for the legislatively established Statewide Tuition Waiver Program. See N.J.S.A. 30:4C-101 et seq.

N.J.A.C. 3A:13-1 and 2 are reserved. Subchapter 3 provides the scope and definitions of the rules governing the placement review standards for children placed out-of-home by the Division of Child Protection and Permanency (Division). N.J.A.C. 3A:13-3 further establishes the purpose of reviews, standards for determining whether placements should continue and for administration of Division placement reviews, including frequency, notice, procedures for convening and conducting, responsibility to the Child Placement Review Board, review of adoption placements, living arrangements subject to and not subject to placement reviews, and the termination of providing information to the Child Placement Review Board.

Subchapter 4 governs reviews of children placed in New Jersey by another state, including the purpose, scope, and definitions, purpose and notice of reviews, participation in, conducting of, and frequency of the reviews.

Subchapter 5 sets forth the purpose, scope, and definitions of the rules governing the administration of the Statewide Tuition Waiver Program established by N.J.S.A. 30:4C-101 et seq. N.J.A.C. 3A:13-5 provides program eligibility criteria, standards for the application process and determination, notifying students, public institutions, and recipient notifications, and verification of enrollment and academic performance. Subchapter 5 further provides requirements related to payments, award combinations, overpayments, adjustments, refunds and collections, student obligations to report institution changes, and program renewal and appeals processes.

The Department of Children and Families has reviewed the rules at N.J.A.C. 3A:13 and found them to be necessary, reasonable, and proper for the purposes for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period.

## COMMUNITY AFFAIRS

(b)

### DIVISION OF CODES AND STANDARDS

#### Emergency Shelters for the Homeless

#### Adopted Amendment: N.J.A.C. 5:15-4.3

Proposed: April 7, 2025, at 57 N.J.R. 637(a).

Adopted: November 24, 2025, by Jacquelyn A. Suárez,

Commissioner, Department of Community Affairs.

Filed: November 24, 2025, as R.2026 d.006, **without change**.

Authority: N.J.S.A. 55:13C-1 et seq.

Effective Date: January 5, 2026.

Expiration Date: July 15, 2031.

#### Summary of Public Comments and Agency Responses:

Comments were received from Mitch Malec and “Jean Public.”

#### Comments Received from Mitch Malec

1. COMMENT: The commenter notes that P.L. 2023, c. 303, is specific to female residents, whereas N.J.A.C. 5:15-4.3(d) is applicable to all residents. The commenter explains that the proposed amendment is incorrectly co-mingled into N.J.A.C. 5:15-4.3(d) and could be worded or inserted into the rules in a better way to reflect the law. The commenter recommends a new subsection, such as a new subsection (e) stating, “Each female resident, in addition to the items contained in N.J.A.C. 5:15-4.3(d) and subject to the availability of funds in the shelter’s general budget, shall be supplied with feminine hygiene products including, but not limited to, sanitary napkins, tampons, and panty liners, free of charge.”

RESPONSE: The Department of Community Affairs (Department) respectfully disagrees that the proposed amendment is incorrectly codified. Due to N.J.A.C. 5:15-4.3(d) including the requirements for personal items supplied to residents, the Department has determined that this location within the rules is the most appropriate for other personal items supplied to residents. Additionally, the language in the proposed amendment at N.J.A.C. 5:15-4.3(d) aligns with the language utilized at P.L. 2023, c. 303, as it states that these items are required for emergency shelters that serve female residents.

2. COMMENT: The commenter explains that according to the law, the availability of feminine hygiene products free of charge to resident females is contingent on the availability of funds in the shelter’s general budget. The commenter questions what the Department’s estimate on the impact of requiring these feminine products to be included in a shelter’s general budget. The commenter also questions whether any homeless shelters are currently providing these provisions and if these shelters are required to continue to provide the services.

RESPONSE: The Department’s estimate of the impact of feminine hygiene products on a shelter’s general budget is minimal due to the low costs associated with these products. A bulk order of feminine hygiene products can be purchased with an individual per-product price of less than \$0.25, which is comparable to the other required personal hygiene products that are mandated for these shelters. Additionally, other shelters may provide feminine hygiene products, however, the proposed amendments only require that emergency shelters for the homeless which serve female residents provide these products to their residents.

3. COMMENT: The commenter notes that based on the law, the obligation to satisfy the requirements is contingent upon the availability of additional funds in the shelter’s budget. The commenter states that this obligation appears to be a means to continue period inequity and not provide the needed assistance to women and girls residing in emergency shelters for the homeless. The commenter questions whether it is possible for the Department to allocate funds for this need or to mandate these items in a shelter’s budget.

Additionally, the commenter states that to their understanding, the current items listed at N.J.A.C. 5:15-4.3(d) are not specifically required by law. The commenter requests the Department provide background for the inclusion of these items and the reasoning that feminine hygiene products or period care kits cannot simply be added.

RESPONSE: The Department respectfully disagrees that the proposed amendment is continuing period inequity and not providing assistance to residents of emergency shelters. The cost and availability of these products is a greater burden on those in need of emergency shelters than on facilities that provide these products to residents. When purchased in bulk, feminine hygiene products are a minimal expenditure on a shelter’s general budget.