



State of New Jersey

DEPARTMENT OF EDUCATION
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Commissioner

June 12, 2009

TO: Directors, Private Schools for Students with Disabilities

FROM: Katherine P. Attwood, Assistant Commissioner
Division of Finance *Katherine P. Attwood*

SUBJECT: Department of Treasury Affirmative Action Regulations - Private Schools for Students with Disabilities Mandated Tuition Contract for the 2009-2010 School Year

The Department of Treasury's Affirmative Action regulations require specific language in contracts with public agencies. The private schools for students with disabilities mandated tuition contract for 2009-2010 contains this language in sections #14 and #16 which was updated in the 2009-2010 contract. The 2009-2010 mandated tuition contract is now available on the department's web site for private schools for students with disabilities at <http://www.nj.gov/education/finance/fp/psd.shtml>.

In accordance with N.J.A.C. 17:27-4.3 promulgated by the Department of Treasury pursuant to N.J.S.A. 10:5-31 et seq., all contractors (i.e., private schools for students with disabilities) entering into a valid service contract with a public agency (i.e., board of education) are required to submit to the public agency one of the following forms of evidence:

- i. Letter of Federal Affirmative Action Plan Approval, that the contractor is operating under an existing federally approved or sanctioned affirmative action program; or
- ii. A Certificate of Employee Information Report; or
- iii. An Employee Information Report Form (AA302) provided by the public agency (i.e., board of education) and completed by the contractor.

Please be advised, the appropriate evidence must be submitted to the public agency (i.e., board of education) after notification of award of the contract but prior to signing a goods and services contract, whichever is earlier. To obtain a copy of the Employee Information Report Form (AA302), please request a copy from one of the boards of education which sends pupils to your school. Prior to completing the report, please read and follow the instructions for completing the form. This is a Department of Treasury form and may not be obtained from the Department of Education. Please be advised, this form must not be filed with the Department of Education.

If you have any questions concerning this contract, please contact Jim Verner at (609) 984-4229 or Elise Sadler-Williams at (609) 777-4483.

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