

April 29, 2005

**TO:** Directors, Private Schools for the Disabled

**FROM:** Richard Rosenberg, Assistant Commissioner  
Division of Finance

**SUBJECT:** Department of Treasury Affirmative Action Regulations - Private Schools for the Disabled Mandated Tuition Contract for the 2005-2006 School Year

The Department of Treasury's Affirmative Action regulations require specific language in contracts with public agencies. The private school for the disabled mandated tuition contract for 2005-2006 contains this language in section 15 of the contract. A copy of the 2005-2006 mandated tuition contract will be forwarded to you as an attachment to a memorandum to both public and private schools.

In accordance with N.J.A.C. 17:27-4.3 promulgated by the Department of Treasury pursuant to P.L. 1975, c. 127, all contractors (i.e., private schools for the disabled) 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. Appropriate evidence, i.e., Letter of Federal Approval, that the contractor is operating under an existing federally approved or sanctioned affirmative action program; or
- ii. A Certificate of Employee Information Report approval issued in accordance with N.J.A.C. 17:27-4; or
- iii. An Affirmative Action Employee Information Report (AA-302) provided by the public agency (i.e., board of education) and completed by the contractor in accordance with N.J.A.C. 17:27-4. (If evidence of either i. or ii. cannot be provided, Form AA302 must be completed.)

Please be advised, equal employment evidence must be submitted to the public agency (i.e., board of education) within seven days after receipt of notification of intent to award the contract, or receipt of contract, whichever is sooner. To obtain a copy of the Affirmative Action

Employee Information Report (Form AA302), please request a copy from one of the boards of education which send 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.

RR/JV/privates/2005-2006 treasury tuition contract memo.doc

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