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DEPARTMENT OF EDUCATION
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April 19, 2013

TO: Directors, Private Schools for Students with Disabilities

FROM: Patricia C. Scott, Director/Fiscal Policy & Planning
Office of School Finance 

SUBJECT: Department of Treasury Affirmative Action Regulations - Private Schools for Students with Disabilities Mandated Tuition Contract for the 2013-2014 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 2013-2014 contains this language in sections #14 and #16 of the contract. The 2013-2014 mandated tuition contract is now available on the department's web site for private schools for students with disabilities at the following link: <http://www.nj.gov/education/finance/fp/psd/1314/annual.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 Elise Sadler-Williams at (609) 777-4483.

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