



State of New Jersey

DEPARTMENT OF EDUCATION

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TRENTON, NJ 08625-0500

May 23, 2013

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHRISTOPHER D. CERF
Commissioner

Dr. Lawrence S. Feinsod, Executive Director
New Jersey School Boards Association
413 West State Street
Trenton, NJ 08605-0909

Dear Dr. Feinsod:

The New Jersey Department of Education is in receipt of your letter submitted on behalf of New Jersey School Boards Association (NJSBA), and workshop co-sponsors the New Jersey Association of School Administrators (NJASA), and the New Jersey Association of School Business Officials (NJASBO) for a waiver of the prohibition on overnight travel in order to facilitate the hosting of its 2014 and 2015 Annual Workshop. It is our understanding that you are requesting advance approval of travel waivers for each of the next two years in order to facilitate the finalization of your contractual relationship with the Atlantic City Convention Center. Both of the two workshops remain in the planning phase and are expected to occur over three consecutive days, October 28 through October 30, 2014, and October 27 through October 29, 2015 in Atlantic City, New Jersey.

As you are aware, *N.J.S.A. 18A:11-12* requires that boards of education must ensure that all school district travel expenditures are "in compliance with state travel payment guidelines as established by the Department of the Treasury..." State Department of the Treasury *OMB Circular 12-14* Section X.B specifically prohibits reimbursement of in-State overnight travel. However, the circular authorizes the Commissioner of Education "to grant waivers for overnight travel for school board members and school district employees to attend in-State conferences pursuant to guidelines issued by the Department of Education," *OMB Circular 12-14 Section I.B.8*.

The Department's regulations at *N.J.A.C. 6A:23A-7.11(c)* authorize the Commissioner to grant overnight in-State travel waivers only in extremely limited circumstances, where the sponsoring organization can demonstrate that the conference is broad and multidisciplinary in scope, comprised of content-rich educational programming with important professional development opportunities and/or required training. In addition, the sponsoring organization must demonstrate that the conference's content, structure, scheduling and anticipated attendance necessitate that it be held on multiple consecutive days with overnight lodging. The travel regulations are posted on the Department's web site at: <http://www.state.nj.us/education/code/current/title6a/chap23a.pdf>.

Pursuant to the regulations, waivers will not be granted for reimbursement of lodging prior to the first day of the event or after check-out time of the last day of the event. Moreover, waivers will be considered only where the sponsoring organization can demonstrate that the

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conference is broad in scope and comprised of content-rich educational programming with important professional development opportunities and/or required training. In addition, the sponsoring organization must demonstrate that the conference's content, structure, scheduling and anticipated attendance necessitate that it be held on multiple consecutive days with overnight lodging.

After carefully reviewing your submission, the Department finds that both Annual Workshops individually meet the criteria of the regulations. Specifically, I note that based upon the content of your submission, each of the conferences promises to provide three full days of professional development programs for school administrators, as well as mandatory training programs for board members and charter school trustees. Finally, I note that the program schedule for each of the three days offers multiple concurrent workshops from nine A.M. through late afternoon, necessitating an overnight stay for three-day attendees. For these reasons, the waiver request is granted. As a result of this waiver, school districts and charter schools may reimburse attendees for overnight lodging in accordance with the provisions of *N.J.S.A. 18A:11-12* on October 28 and October 29, 2014 and on October 27 and October 28, 2015 provided that the remaining conditions delineated in this letter are met. Reimbursement for registration fees, mileage and meals, subject to the limitations and conditions set forth in *OMB Circular 12-14* and *OMB Circular 11-09* may also be permissible. School districts and charter schools should ensure that they approve attendance only of board members, trustees, and employees whose duties are related to the purposes of the conference or who are required to attend to meet continuing education requirements as a condition of continued employment.

Moreover, please be advised that the waiver of the prohibition for reimbursement for overnight lodging covers only those attendees whose home to event commute exceeds 50 miles. In other words, only those individuals whose one-way commute to the 2014 and 2015 Annual Workshop(s) exceeds 50 miles may obtain reimbursement from their school district or charter school for overnight lodging for October 28 and October 29, 2014 and on October 27 and October 28, 2015.

Finally, I want to express my appreciation of the combined effort of NJSBA, NJASA, and NJASBO to provide professional development opportunities to those who strive to provide quality public education in New Jersey. My best wishes for continued success with the conferences.

Sincerely,



Christopher D. Cerf
Commissioner