



## State of New Jersey

DEPARTMENT OF EDUCATION  
PO Box 500  
TRENTON, NJ 08625-0500

JON S. CORZINE  
Governor

LUCILLE E. DAVY  
Commissioner

December 3, 2008

John F. Donahue, Executive Director  
New Jersey Association of School Business Officials  
4 AAA Drive  
Robbinsville, NJ 08691

Re: Request for Waiver of Prohibition on Overnight Travel

Dear Mr. Donahue:

The New Jersey Department of Education is in receipt of the application you submitted on behalf of the New Jersey Association of School Business Officials (NJASBO) for a waiver of the prohibition on overnight travel in order to facilitate a three day Spring Conference on May 6, 7, and 8, 2009.

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 ...." On March 17, 2008, the State Department of the Treasury issued *OMB Circular 08-19* that at Section X.B specifically prohibits reimbursement for 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 08-19 Section I.B.8.*

On April 17, 2008, the Department issued proposed guidelines on waivers for overnight travel. See Proposed Guidance on Overnight Travel (Proposed Guidance) [http://www.state.nj.us/education/genfo/travel\\_overnight.pdf](http://www.state.nj.us/education/genfo/travel_overnight.pdf). Subsequently, after careful consideration, the Department revised the guidelines to reflect its determination that waivers of the overnight travel prohibition should be granted in only extremely limited circumstances, consistent with the clear Legislative intent to reduce non-instructional expenses of public school districts, particularly those related to travel. The revised guidelines are posted on the Department's web site at [http://www.state.nj.us/education/genfo/travel\\_overnight\\_rev.pdf](http://www.state.nj.us/education/genfo/travel_overnight_rev.pdf). After taking into account the hardships that might be encountered by organizations with conferences scheduled to take place within the next few months, the Department decided to delay implementation of the revised guidelines until January 1, 2009. The Department believes that organizations with conferences scheduled after January 1 will have ample time to make necessary adjustments to the agenda. Therefore, the revised guidelines will apply to all conferences scheduled to take place after January 1, 2009, including your request.

[www.nj.gov/education](http://www.nj.gov/education)

*New Jersey Is An Equal Opportunity Employer • Printed on Recycled and Recyclable Paper*

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

In connection with your waiver application, you submitted the agenda and other information concerning the Spring Conference. After carefully reviewing the submissions, the Department finds that the NJASBO conference meets the criteria of the revised guidelines. First, I note that the conference covers a wide variety of topics in areas such as facility management, finance, procurement and professional growth. I also note that NJASBO has eliminated a separate overnight conference that it usually conducts and expanded the Spring Conference so that it incorporates more content over three full days. For all of these reasons, the waiver request is granted. As a result of this waiver, school districts will be able to reimburse attendees for overnight lodging on May 6 and 7, 2009, 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 08-19* and *OMB Circular 06-14*, may also be permissible. School districts should ensure that they approve attendance only of board members and employees whose duties are related to the purposes of the conference or who are required to attend to meet continuing education requirements.

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 NJASBO conference exceeds 50 miles may obtain reimbursement from their school district for overnight lodging.

Finally, I want to emphasize that I recognize the value and importance of the NJASBO Spring Conference. However, as I am sure you are aware, in these difficult fiscal times it is incumbent upon everyone in the education community to search for more efficient ways to deliver educational services. In the future, I encourage you and your organization to consider alternative means of providing this professional development to minimize the need for overnight stays, such as holding one day, regional events.

Thank you for your attention to this matter.

Sincerely,



Lucille E. Davy  
Commissioner

LED/DA/gm/OTravel-NJSBO  
c: Executive County Superintendents  
Senior Staff