



State of New Jersey

DEPARTMENT OF EDUCATION

PO Box 500

TRENTON, NJ 08625-0500

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

ROCHELLE R. HENDRICKS
Acting Commissioner

October 18, 2010

Ms. Frances King
Conference Chair
New Jersey Association of School Librarians
49 Westover Avenue
West Caldwell, NJ 07006

Dear Ms. King:

The New Jersey Department of Education is in receipt of the application you submitted on behalf of the New Jersey Association of School Librarians (NJASL) requesting a waiver of the prohibition on overnight travel in order to facilitate the hosting of the Annual NJASL Fall Conference to be held on Friday, December 3 and Saturday, December 4, 2010 in Long Branch, NJ.

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 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 08-19 Section I.B.8.*

After careful consideration, the Department issued 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 guidelines were incorporated into regulations adopted on December 18, 2008 at N.J.A.C. 6A:23A-7.11 and are posted on the Department's web site at:

<http://www.state.nj.us/education/code/current/title6a/chap23a.pdf>.

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Pursuant to the regulations, waivers will not be granted for reimbursement for 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 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 2009 Final Program Booklet and the 2010 Preliminary Program Booklet and a summary description of the event. After carefully reviewing the submission, the Department finds that the 2010 NJASL Fall Conference meets the criteria of the regulations, and accordingly, the waiver request is granted. Specifically, I note that the conference contains two full days of educational programming and professional development opportunities. Attendees may benefit from a range of conference offerings including reading and writing, the use of mixed media in education, experiencing history, and grant writing. As a result of this waiver, school districts will be able to reimburse attendees for overnight lodging on December 3, 2010 only, 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 as a condition of continued employment.

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 2010 NJASL Fall Conference exceeds 50 miles may obtain reimbursement from their school district for overnight lodging.

I extend my best wishes for a successful event.

Sincerely,



Rochelle R. Hendricks

Acting Commissioner