



State of New Jersey
DEPARTMENT OF EDUCATION
PO Box 500
TRENTON, NJ 08625-0500

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHRISTOPHER D. CERF
Acting Commissioner

January 25, 2011

Mr. Carlos Perez, Chief Executive Officer
New Jersey Charter Schools Association
349 West State Street
4th Floor
Trenton, NJ 08618

Re: Request for Waiver of Prohibition on Overnight Travel for the Third Annual Conference

Dear Mr. Perez:

The New Jersey Department of Education is in receipt of the application you submitted on behalf of the New Jersey Charter Schools Association for a waiver of the prohibition on overnight travel in order to facilitate the hosting of its Third Annual New Jersey Charter Schools Conference to be held on April 7 and 8, 2011 in Princeton.

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>.

Mr. Carlos Perez

January 25, 2011

Page 2

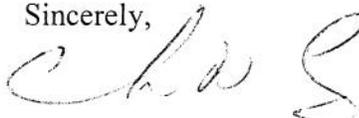
Pursuant to the regulations, waivers will not be granted for reimbursement of lodging prior to the first day of the event or after check-out time of the last day of the event. Moreover, waivers will be considered only where the sponsoring organization can demonstrate that the conference is broad and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

After carefully reviewing your submission, the Department finds that the Third Annual New Jersey Charter Schools Conference meets the criteria of the regulations. Specifically, I note that the topics covered are broad and multidisciplinary in scope, of current relevance to New Jersey's education community, and offer a comprehensive two day professional development opportunity for New Jersey's charter school professionals. For this reason, the waiver request is granted. As a result of this waiver, school districts will be able to reimburse attendees for overnight lodging on April 7, 2011 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.

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 Charter School Conference exceeds 50 miles may obtain reimbursement from their school district for overnight lodging for April 7, 2011.

Finally, I want to express my appreciation of the Association's efforts to provide professional development opportunities to those who strive to provide quality public education options in New Jersey. My best wishes for a successful conference.

Sincerely,



Christopher D. Cerf
Acting Commissioner

YT/MM/y/Referrals/2011/TravelWaiverReferrals/NewJerseyCharterSchools/3rdAnnualConference.docx

C: Executive County Superintendents
Senior Staff