



State of New Jersey

DEPARTMENT OF EDUCATION

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CHRIS CHRISTIE

Governor

KIM GUADAGNO

Lt. Governor

DAVID C. HESPE
Acting Commissioner

November 12, 2014

Mr. Carlos Perez, Chief Executive Officer
New Jersey Charter Schools Association
1 AAA Drive, Suite 201
Hamilton, New Jersey 08691

Dear Mr. Perez:

The New Jersey Department of Education is in receipt of your letter submitted on behalf of the New Jersey Charter Schools Association requesting a waiver of the prohibition on overnight travel in order to facilitate the hosting of the Seventh Annual New Jersey Charter School Conference planned for March 30 and 31, 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 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.

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After carefully reviewing your submission, the Department finds that the Seventh Annual New Jersey Charter Schools Conference planned for March 30 and 31, 2015 in Atlantic City, New Jersey meets the criteria of the regulations. Specifically, I note that based upon the content of your submission, the conference will offer a comprehensive two day professional development opportunity for New Jersey's charter school professionals. Furthermore, the conference promises to be of current relevance to New Jersey's charter school leaders, educators and trustees representing a wide geographical area. For these reasons, the waiver request is granted. As a result of the waiver, school districts and charter schools will be able to reimburse attendees for overnight lodging on March 30, 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 Seventh Annual New Jersey Charter Schools Conference planned for March 30 and 31, 2015 in Atlantic City, New Jersey exceeds 50 miles may obtain reimbursement from their school district for overnight lodging for March 30, 2015.

Finally, I want to express my appreciation of the New Jersey Charter School Association's effort 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,



David C. Hesse
Acting Commissioner

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c: Senior Staff
Pam Castellanos
Executive County Superintendents