



State of New Jersey

DEPARTMENT OF EDUCATION

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Commissioner

November 27, 2012

Mr. Philip J. Guenther
Council President
New Jersey Council of County Vocational-Technical Schools
210 West State Street
Trenton, NJ 08608

Dear Mr. Guenther:

The New Jersey Department of Education is in receipt of your letter submitted on behalf of the New Jersey Council of County Vocational-Technical Schools requesting a waiver of the prohibition on overnight travel in order to facilitate the hosting of the one day event planned for January 30, 2013 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

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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.

N.J.A.C 6A:23A-7.11 (e) precludes boards of education from issuing reimbursement of lodging expense prior to the first day of a conference, or after check out time of the last day of a conference. We recognize that by strategically scheduling the Council's winter conference on a single day directly preceding the Techspo Conference, attendees of both conferences choosing to remain in Atlantic City on the night of January 30 may benefit from reduced travel time and expense. Note that the waiver permitting reimbursement of in-State overnight lodging for attendees of Techspo issued July 20, 2012 and posted on our website, covers only the night of January 31, 2013, the evening following day one of that conference. The New Jersey Council of County Vocational-Technical Schools' winter meeting is a single day conference to be held on January 30, 2013. Due to the "prior to" and "last day" limitations on reimbursements stated at N.J.A.C. 6A:23A-7.11(e), the waiver request to lift the prohibition on in-State travel reimbursement for attendance at this conference is denied.

It is important to note that denial of your waiver request does not mean that New Jersey Council of County Vocational-Technical Schools cannot hold a conference which precedes another event of complementary programming. Rather, the denial prohibits districts from reimbursing school board members and district employees for *overnight lodging* in connection with your conference. The conference can still proceed; however, districts may not reimburse attendees for such overnight lodging. Reimbursement for registration fees, mileage and meals, subject to the limitations and conditions set forth in OMB Circular 11-09 and OMB 12-14, may be permissible.

Finally, I want to emphasize that although the waiver request is denied, I recognize the important contribution the work performed by the New Jersey Council of County Vocational-Technical Schools provides to New Jersey's public schools.

Sincerely,



Christopher D. Cerf
Commissioner