



## State of New Jersey

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

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

DAVID C. HESPE  
Commissioner

July 27, 2016

Ms. Janet Hawk, Executive Director  
New Jersey School Nutrition Association  
P.O. Box 225  
Waretown, NJ 08758

Dear Ms. Hawk:

The New Jersey Department of Education is in receipt of your letter submitted on behalf of New Jersey School Nutrition Association, (NJ-SNA) requesting a waiver of the prohibition on in-State overnight travel in order to facilitate the hosting of the Annual Conference planned for November 10 and 11, 2016, 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 16-11* 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 16-11 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 in scope and comprised of content-rich educational programming with important professional development opportunities and/or required training. In addition, the

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After carefully reviewing your submission, the Department finds that the NJ-SNA Annual Conference planned for November 10 and 11, 2016, in Atlantic City, New Jersey, meets the criteria of the regulations. Specifically, I note that based upon the content of your submission, the conference promises to provide two full days of workshops highlighting mandatory training and workshops for all level of school food service professionals held at a time when school is not in session. The program schedule for each of the two days offers multiple concurrent workshops from 9 a.m., through the evening each day, necessitating an overnight stay for two-day attendees. For these reasons the waiver request is granted. As a result of this waiver, school districts, charter schools and renaissance school projects will be able to reimburse attendees for overnight lodging on November 10, 2016, 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 16-11* and *OMB Circular 11-09*, may also be permissible. School districts, charter schools and renaissance school projects 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 NJ-SNA Annual Conference planned for November 10 and 11, 2016, in Atlantic City, New Jersey, exceeds 50 miles may obtain reimbursement from their school district, charter schools and renaissance school projects for overnight lodging for November 10, 2016.

Finally, I want to express my appreciation of NJ-SNA efforts to provide professional development opportunities to those who strive to provide quality food service programming in New Jersey. My best wishes for a successful conference.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Hespe", with a long horizontal line extending to the right.

David C. Hespe  
Commissioner

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c: Senior Staff  
Executive County Superintendents