



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

February 11, 2016

Ms. Kathleen McKenzie Cupano
Assistant Director
Rutgers University Continuing Studies
Center for Government Services
303 George Street, Suite 604
New Brunswick, New Jersey 08901-2020

Dear Ms. McKenzie Cupano:

The New Jersey Department of Education is in receipt of your letter submitted on behalf of Rutgers Center for Government Services requesting a waiver of the prohibition on overnight travel in order to facilitate the hosting of the Rutgers University 47th Annual Public Purchasing Educational Forum planned for April 27-28, 2016, in Atlantic City, New Jersey. April 26 is designated as a pre-conference seminar.

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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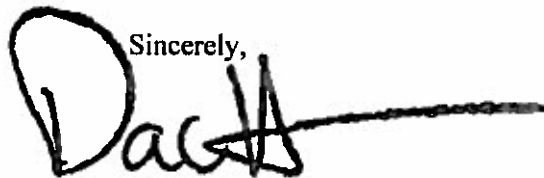
After carefully reviewing your submission, the Department finds that the Rutgers University 47th Annual Public Purchasing Educational Forum planned for April 27-28, 2016, in Atlantic City, New Jersey meets the criteria of the regulations. Specifically, I note that based upon the content of your submission, the conference will provide timely and relevant continuing education regarding public school contract law and related topics to public school personnel charged with maintaining the detailed process of procurement of goods and services, contract administration, and subsequent expenditure of public funds. For this reason, the waiver request is granted for April 27, 2016, for those attending both days of the Forum.

N.J.A.C 6A:23A-7.11(e) precludes boards of education/trustees 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 Pre-Forum Seminar, "Green Purchasing" on a single day directly preceding the Public Purchasing Educational Forum, attendees of both conferences choosing to remain in Atlantic City on the night of April 26 may benefit from reduced travel time and expense. However, 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 the Pre-Conference Seminar cannot be approved.

As a result of the waiver, school districts, charter schools, and renaissance school projects will be able to reimburse attendees for overnight lodging on April 27, 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 12-14* 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 Rutgers University 47th Annual Public Purchasing Educational Forum planned for April 27-28, 2016, in Atlantic City, New Jersey, exceeds 50 miles may obtain reimbursement from their school district, charter school, or renaissance school project for overnight lodging for April 27, 2016.

Finally, I want to express my appreciation of the Rutgers Center for Government Services effort to provide professional development opportunities to those who strive to provide quality public education in New Jersey. My best wishes for a successful conference.

Sincerely,


David C. Hespe
Commissioner

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c: Senior Staff
Executive County Superintendents