



## 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

December 22, 2015

Mr. Andre J. Richburg, President  
New Jersey Association for College Admission Counseling  
Atlantic Cape Community College  
5100 Black Horse Pike  
Mays Landing, NJ 08330

Dear Mr. Richburg:

The New Jersey Department of Education (NJDOE) is in receipt of your letter submitted on behalf of the New Jersey Association for College Admission Counseling (NJACAC) requesting a waiver of the prohibition on overnight travel in order to facilitate the hosting of the NJACAC's Annual Professional Development Conference planned for June 5-7, 2016, in Atlantic City, New Jersey. Sunday, June 5, 2016, is a pre-conference event.

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

Mr. Andre J. Richburg

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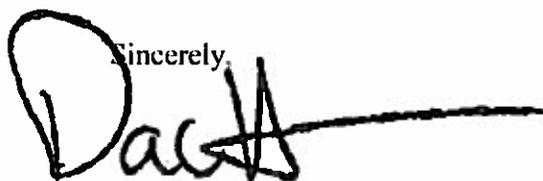
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organization must demonstrate that the conference's content, structure, scheduling and anticipated attendance necessitate that it be held on multiple consecutive days with overnight lodging.

Please be aware that in accordance with N.J.A.C. 6A:23A-7.11 (e) overnight travel within the State shall not be eligible for reimbursement of subsistence and lodging if travel is on the day prior to the start of the conference. Accordingly, the night of June 5, 2016, is not eligible for subsistence or lodging reimbursement. Based upon our review of your conference schedule and content, the Department has determined the NJACAC's Annual Professional Development Conference (June 6<sup>th</sup> and 7<sup>th</sup>) in Atlantic City, New Jersey, meets the criteria of the regulations. Specifically, I note that based upon the content of your submission, the conference agenda will provide timely and relevant continuing education and guidance for those professionals working with families of students seeking post-secondary choices. For these reasons, a waiver request for the 2016 Conference is granted. As a result of the waiver, school districts, charter schools, and renaissance school projects will be able to reimburse attendees for overnight lodging on June 6, 2016, only 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 NJACAC's Spring Training Conference 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 June 6, 2016, only.

Finally, I want to express my appreciation of NJACAC's efforts 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: Executive County Superintendents  
Senior Staff