



State of New Jersey

DEPARTMENT OF EDUCATION

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TRENTON, NJ 08625-0500

CHRIS CHRISTIE
Governor

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Lt. Governor

CHRISTOPHER D. CERF
Acting Commissioner

December 23, 2011

Ms. Marie S. Bilik, Executive Director
New Jersey School Boards Association
P.O. Box 909
Trenton, NJ 08605-0909

RE: Request for Waiver of Prohibition on Overnight Travel for the 2012 and 2013 NJSBA, NJASA
& NJASBO Annual Workshops

Dear Ms. Bilik:

The New Jersey Department of Education is in receipt of the application you submitted on behalf of the New Jersey School Boards Association (NJSBA), and workshop co-sponsors the New Jersey Association of School Administrators (NJASA) and the New Jersey Association of School Business Officials (NJASBO), for a waiver of the prohibition on overnight travel in order to facilitate the hosting of its 2012 and 2013 Annual Workshop. It is our understanding that you are requesting advance approval of travel waivers for each of the next two years in order to facilitate the finalization of your contractual relationship with the Atlantic City Convention Center. Each of the two workshops remains in the planning phase and are expected to occur over three consecutive days, October 23 through October 25, 2012, and October 22 through October 24, 2013 in Atlantic City.

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 11-05* 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 11-05 Section I.B.8.*

The department has issued guidelines to reflect its determination that waivers of the overnight travel prohibition should be granted in only extremely limited circumstances, consistent with the clear legislative intent to reduce non-instructional expenses of public school districts, particularly those related to travel. The guidelines were incorporated into regulations adopted on December 18, 2008 at N.J.A.C. 6A:23A-7.11 and are posted on the Department's web site at: <http://www.state.nj.us/education/code/current/title6a/chap23a.pdf>.

www.nj.gov/education

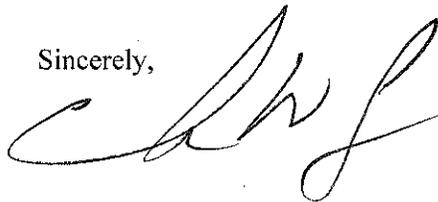
Pursuant to the regulations, waivers will not be granted for reimbursement of lodging prior to the first day of the event or after check-out time of the last day of the event. Moreover, waivers will be considered only where the sponsoring organization can demonstrate that the conference is broad and 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.

After carefully reviewing your submission, the department finds that the 2012 and 2013 Annual Workshops meet the criteria of the regulations. Specifically, I note that your plan for the first day of the workshop for each year offers a full-day of programming dedicated to mandatory training for new board members and charter school trustees. The following two days offer mandatory courses in school district governance for second and third year board members and charter school trustees. In addition to offering mandatory training courses, you have provided sufficient documentation of your intention to present approximately 150 other learning opportunities over a wide range of pertinent topics. For these reasons, for each of the planned conferences referenced above, the waiver request is granted. As a result of this waiver, school districts may reimburse attendees for overnight lodging in accordance with the provisions of *N.J.S.A. 18A:11-12* on October 23, 2012 and October 24, 2012; and on October 22, 2013 and October 23, 2013. Reimbursement for registration fees, mileage and meals, subject to the limitations and conditions set forth in *OMB Circular 11-05* and *OMB Circular 11-09*, may also be permissible. School districts should ensure that they only approve workshop attendance of board members, charter school trustees, and employees whose duties are related to the purpose of the workshop or who are required to attend to meet continuing education requirements as a condition of continued service or 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 Annual Workshop exceeds 50 miles may obtain reimbursement from their school district for overnight lodging for the dates delineated in the above paragraph.

My best wishes for two successful conferences.

Sincerely,



Christopher D. Cerf
Acting Commissioner

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c: David Hespe

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Senior Staff

Executive County Superintendents