



State of New Jersey

DEPARTMENT OF EDUCATION

PO Box 500

TRENTON, NJ 08625-0500

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHRISTOPHER D. CERF
Acting Commissioner

January 28, 2011

Ms. Marie S. Bilik, Executive Officer
New Jersey School Boards Association
P.O. Box 909
Trenton, NJ 08505-0909

Re: Request for Waiver of Prohibition on Overnight Travel for the NJSBA/NJASA/NJASBO
Annual Workshop

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 Annual Workshop to be held on three consecutive days, October 24 through October 26, 2011 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..." On March 17, 2008, the State Department of the Treasury issued *OMB Circular 08-19* that at 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 08-19 Section I.B.8.*

After careful consideration, the Department 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>.

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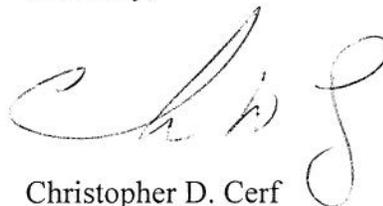
Pursuant to the regulations, waivers will not be granted for reimbursement of lodging prior to the first day of the event or after check-out time of the last day of the event. Moreover, waivers will be considered only where the sponsoring organization can demonstrate that the conference is broad and 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 2011 Annual Workshop meets the criteria of the regulations. Specifically, I note the first day of the workshop 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 185 other learning opportunities over a wide range of pertinent topics. For these reasons, 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 24, 2011 and October 25, 2011. Reimbursement for registration fees, mileage and meals, subject to the limitations and conditions set forth in *OMB Circular 08-19* and *OMB Circular 06-14*, 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 October 24, 2011 and October 25, 2011.

My best wishes for a successful conference.

Sincerely,



Christopher D. Cerf
Acting Commissioner

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C: Executive County Superintendents
Senior Staff