



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

February 13, 2012

Mr. Charles Miele, Executive Director  
New Jersey School Buildings and Grounds Association  
P. O. Box 294  
West Milford, New Jersey 07480

Dear Mr. Miele:

The New Jersey Department of Education is in receipt of the travel waiver application you submitted on behalf of the New Jersey School Buildings and Grounds Association (NJSBGA) requesting a waiver of the prohibition on overnight travel in order to facilitate the hosting of the 16<sup>th</sup> Annual Conference and Expo planned for April 3 and 4, 2012 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 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>.

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 multidisciplinary in scope, comprised of content-rich educational programming with important professional development opportunities and/or

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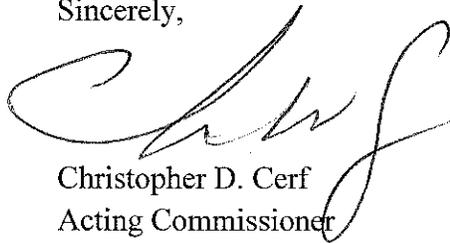
required training. In addition, the sponsoring organization must demonstrate that the conference's content, structure, scheduling and anticipated attendance necessitate that it be held on multiple consecutive days with overnight lodging.

After carefully reviewing your submission, the department finds that the 16<sup>th</sup> Annual NJSBGA Conference and Expo does not meet the specific requirements of the regulations to provide programming that is broad and multidisciplinary in scope, and comprised of content-rich instruction related programming necessitating multiple consecutive days of attendance. For this reason, the waiver request for the prohibition on in-State travel for attendance at this multiday conference is denied.

It is important to note that denial of your waiver request does not mean that NJSBGA cannot hold a multi-day conference. Rather, the denial prohibits districts from reimbursing school board members and district employees for *overnight lodging* in connection with your conference. The conference can still proceed; however, districts may not reimburse attendees for such overnight lodging. Reimbursement for registration fees, mileage and meals, subject to the limitations and conditions set forth in OMB Circular 11-09 and OMB 11-05, may be permissible.

Finally, I want to emphasize that although the waiver request is denied, I recognize the important contribution the work performed by the NJSBGA provides to New Jersey's public schools.

Sincerely,



Christopher D. Cerf  
Acting Commissioner

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c: Executive County Superintendents  
Senior Staff