



State of New Jersey

DEPARTMENT OF EDUCATION

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Governor

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Lt. Governor

CHRISTOPHER D. CERF
Commissioner

February 15, 2013

Dr. Ellen O'Connor, President
New Jersey Association of Federal Program Administrators
142 W. 37 Street
Bayonne, New Jersey 07002

Dear Dr. O'Connor:

The New Jersey Department of Education is in receipt of your letter submitted on behalf of the New Jersey Association of Federal Program Administrators (NJAFPA) requesting a waiver of the prohibition on overnight travel in order to facilitate the hosting of the 44th Annual NJAFPA Spring Training Institute planned for May 29 and 30, 2013 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 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

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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 44th Annual NJAFPA Spring Training Institute planned for May 29 and 30, 2013 in Atlantic City, New Jersey meets the criteria of the regulations. Specifically, I note that the conference promises to be broad in scope, comprised of content-rich instruction related programming, attract attendees representing a wide geographical area, and offer a comprehensive professional development opportunity including continuing education credits requiring multiple days of programming. For these reasons, the waiver request is granted. As a result of the waiver, school districts and charter schools will be able to reimburse attendees for overnight lodging on May 29, 2013 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 and charter schools should ensure that they only approve attendance 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 44th Annual NJAFPA Spring Training Institute planned for May 29 and 30, 2013 in Atlantic City, New Jersey exceeds 50 miles may obtain reimbursement from their school district for overnight lodging for May 29, 2013.

Finally, I want to express my appreciation of the New Jersey Association of Federal Program Administrators effort to provide professional development opportunities to those who strive to provide quality public education options in New Jersey. My best wishes for a successful conference.

Sincerely,


Christopher D. Cerf
Commissioner

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c: Susana Guerrero

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Executive County Superintendents