



State of New Jersey

DEPARTMENT OF EDUCATION

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Governor

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Lt. Governor

CHRISTOPHER D. CERF
Commissioner

October 31, 2013

Ms. Cece Peabody, Executive Director
New Jersey Turfgrass Association
25 US Highway 46 W
Wayne, NJ 07470-6801

Dear Ms. Peabody:

The New Jersey Department of Education is in receipt of your letter submitted on behalf of the New Jersey Turfgrass Association requesting a waiver of the prohibition on in-State overnight travel in order to facilitate the hosting of the 38th and 39th Annual Green Expo Turf and Landscape Conference planned for December 10-12, 2013 and December 9-11, 2014 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, including the draft program agenda, the Department finds that the New Jersey Turfgrass Association's 38th and 39th Annual Green Expo Turf and Landscape Conference does not meet the specific requirements of the regulations to provide programming that is broad and multidisciplinary in scope. We find that the planned conference workshops do not incorporate content-rich instruction related programming necessitating multiple consecutive days of attendance. For these reasons, the request to waive the prohibition on in-State travel reimbursement for attendance at these multi-day conferences is denied.

It is important to note that denial of your waiver request does not mean that the New Jersey Turfgrass Association cannot hold multi-day conferences. Rather, the denial prohibits school districts and charter schools from reimbursing school board members and district/charter schools employees for overnight lodging in connection with your conferences. The conferences can still proceed; however, school districts and charter schools 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 12-14, 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 New Jersey Turfgrass Association provides to New Jersey's public schools.

Sincerely,



Christopher D. Cerf
Commissioner