



State of New Jersey
DEPARTMENT OF EDUCATION
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CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

DAVID C. HESPE
Acting Commissioner

June 13, 2014

Mr. Jim Lukach, Executive Director
New Jersey School Counselor Association
54 Harrison Ave
Milltown, NJ 08850

Dear Mr. Lukach:

The New Jersey Department of Education is in receipt of your letter submitted on behalf of the New Jersey School Counselor Association (NJSCA), requesting a waiver of the prohibition on in-State overnight travel in order to facilitate the hosting of the Fall Conference planned for October 12 and 13, 2014 in Long Branch, 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 in scope and comprised of content-rich educational

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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 Fall Conference planned for October 12 and 13, 2014 in Long Branch, New Jersey meets the criteria of the regulations. Specifically, I note that based upon the content of your submission, the conference promises to provide two full days of workshops highlighting recent initiatives that require school counselors and leaders to review data evaluations and student growth objectives as well as obtain information on the new PARCC testing requirements and analyzing data that drives school change. I also note that the conference meets the standards for New Jersey's Professional Growth Requirement. Finally, I note that the program schedule for each of the two days offers multiple concurrent workshops from eight AM through late afternoon, necessitating an overnight stay for two-day attendees. For these reasons the waiver request is granted. As a result of this waiver, school districts and charter schools will be able to reimburse attendees for overnight lodging on October 12, 2014 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 approve attendance only 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 Fall Conference planned for October 12 and 13, 2014 in Long Branch exceeds 50 miles may obtain reimbursement from their school district or charter school for overnight lodging for October 12, 2014.

Finally, I want to express my appreciation of NJSCA's efforts to provide professional development opportunities to those who strive to provide quality public education in New Jersey. My best wishes for a successful conference.

Sincerely,



David C. Hesper
Acting Commissioner