



State of New Jersey

DEPARTMENT OF EDUCATION
PO Box 500
TRENTON, NJ 08625-0500

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

DAVID C. HESPE
Commissioner

April 1, 2016

Dr. B. Paul Roertert, Chief Executive Officer
SHAPE America
1900 Association Drive
Reston, Virginia 20191

Dear Dr. Roertert:

The New Jersey Department of Education is in receipt of your letter submitted on behalf of the Eastern District of the Society of Health and Physical Educators (SHAPE America) sponsors of the 2016 Eastern District Conference, requesting a waiver of the prohibition on overnight travel in order to facilitate the hosting of the regional conference planned for May 22 through May 24, 2016, 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 16-11 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 16-11 Section I.B.7*.

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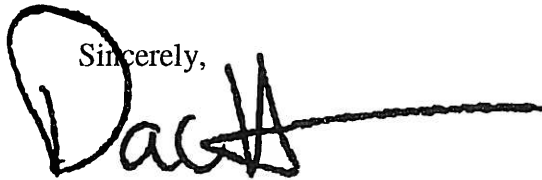
professional development opportunities and/or required training. In addition, the sponsoring organization must demonstrate that the conference's content, structure, scheduling and anticipated attendance necessitate that it be held on multiple consecutive days with overnight lodging.

After carefully reviewing your submission, the Department finds that the 2016 Eastern District Conference planned for May 22 through May 24, 2016, in Atlantic City, New Jersey, meets the criteria of the regulations. Specifically, I note that based upon the content of your submission, the conference will offer three days of content-rich professional development programming for Health and Physical Education professionals. I also note that the program schedule for each of the three days offers multiple concurrent workshops from 7:30 a.m. through the evening. For these reasons, the waiver request is granted. As a result of this waiver, school districts, charter schools and renaissance school projects will be able to reimburse attendees for overnight lodging on May 22 and 23, 2016, 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 16-11* and *OMB Circular 11-09*, may also be permissible. School districts, charter school and renaissance school project 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 2016 Eastern District Conference planned for May 22 through May 24, 2016, exceeds 50 miles may obtain reimbursement from their school district, charter school or renaissance school project for overnight lodging for May 22 and 23, 2016.

Finally, I want to express my appreciation of SHAPE America'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,

A handwritten signature in black ink, appearing to read "D. Hesper", with a long horizontal line extending to the right.

David C. Hesper
Commissioner

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c: Senior Staff

Executive County Superintendents