

THE NEWARK PUBLIC SCHOOLS
 Series 9000 - BYLAWS OF THE BOARD
 FILE CODE: 9250 EXPENSES AND REIMBURSEMENTS

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Board members receive no payment for their services. With the State District Superintendent's approval, they may be reimbursed for out-of-pocket expenses incurred on Newark Public Schools ("District") business. Reimbursement covers only the board member's expenses.

Travel and Related Expenses

Travel reimbursement will be paid only upon compliance with the District's policy provisions and approval requirements. Board members and employees shall only be reimbursed for work-related travel that is directly related to and within the scope of that person's current work responsibilities. Board members and employees shall only be reimbursed for travel that:

- A. Promotes the delivery of instruction and is critical to the instructional needs of the District or furthers the efficient operation of the District;
- B. Is educationally necessary and fiscally prudent; and
- C. Is directly related to and within the scope of:
 - 1. Board members, the board member's current responsibilities;
 - 2. District employees, the District's professional development plan.

As described in this policy, District travel expenditures include, but are not limited to, all costs for transportation, meals, lodging, and registration or conference fees to and for the travel event. District travel expenditures include costs for all required training and all travel authorized in existing District employee contracts and District policies. This includes, but is not limited to, required professional development and other staff training, required training for new board members, and attendance at specific conferences authorized in existing employee contracts.

Travel Payments

Travel payments will be paid only upon compliance with the school District's policy provisions and approval requirements. The District will not ratify or approve payments or reimbursements for travel after completion of the travel event. All board members and employees shall adhere to the following specifications to be considered for reimbursement:

- A. Reimbursement may not exceed State travel reimbursement guidelines as established by the Department of Treasury in NJOMB circular, including but not limited to the types of travel, methods of transportation, mileage allowance, meal allowance, overnight travel and supporting documentation.
- B. Reimbursement must also be in compliance with OMB Circular 6-11-OMB(found at <http://www.state.nj.us/infobank/circular/circindx.htm>).
- C. No reimbursement will be issued without submission of written documentation such as receipts, checks and vouchers detailing the amount the expenditures. Such documentation must be submitted within 30 days of the return from the trip to the Office of the School Business Administrator.
- D. Travel expenditures must be in compliance with state travel payment guidelines as established by the Department of the Treasury and with guidelines established by the federal Office of Management

and Budget; except that those guidelines that conflict with the provisions of Title 18A of the New Jersey Statutes shall not be applicable, including, but not limited to, the authority to issue travel charge cards. All applicable restrictions and requirements set forth in the State and federal guidelines including, but not limited to, types of travel, methods of transportation, mileage allowance, subsistence allowance, and submission of supporting documentation including receipts, checks or vouchers.

E. Board members and employees shall provide within one week to the appropriate District personnel, a brief report that includes, as appropriate, but may not be limited to, a description of the primary purpose for the travel, and a summary of the goals and key issues that were addressed at the event and their relevance to improving instruction or the operation of the school district. Receipt of this report must be acknowledged by the designated District personnel. This report shall be attached to District travel reimbursement documentation (TR-2) and submitted to the Office of School Business Administrator or designee.

F. Pursuant to N.J.A.C. 6A:23A-5.9 concerning out-of state and high-cost travel events, out-of-state travel shall be limited to the fewest number of board members or employees needed to present the content at the conclusion of the event. Lodging may only be provided if the event occurs on two or more consecutive days and where home-to-event commute exceeds 50 miles. Prior written approval of the Executive County Superintendent or the State Department of Education and may be required when more than five (5) individuals from the District attend or when the travel event has a total cost that exceeds \$5000.

In addition to the requirements above, employee travel, to be reimbursable, must be directly related to the employee's professional development. No District employee shall be reimbursed for travel and related expenses without prior written approval of the State District Superintendent and prior approval by a majority of the full voting membership of the board (as set forth below).

Prior Approval Is Required

For employees, the board requires that travel occur only upon prior written approval of the State District Superintendent and prior approval by a majority of the full voting membership of the board.

For board members, travel may occur only upon prior approval by a majority of the full voting membership of the board and that the travel be in compliance with section 4 of P.L.1991, c.393 (C.18A:12-24) and section 5 of P.L.2001, c.178 (C.18A:12-24.1).

The District hereby excludes from the requirements of prior board approval any travel caused by or subject to contractual provisions, other statutory requirements, or federal regulatory requirements. Pursuant to law, the District does not exclude such travel from the subsistence requirements and the annual maximum travel expenditure amount.

Board members shall only be reimbursed for travel and related expenses that have received prior approval by a majority of the full voting membership of the board, and are in compliance with N.J.S.A. 18A:12-24 and 24.1 of the School Ethics Act.

A. Specifically, an board member must recuse himself/herself from voting on travel if the board member, a member of his/her immediate family, or a business organization in which he/she has an interest, has a direct or indirect financial involvement that may reasonably be expected to impair his/her objectivity or independence of judgment.

- B. Also, an board member shall not: act in his/her official capacity in any matter in which he/she or a member of his/her immediate family has a personal involvement that is or creates some benefit to the school official or member of his immediate family; or undertake any employment or service, whether compensated or not, which may reasonably be expected to prejudice his/her independence of judgment in the execution of his/her official duties.

Regular Business Travel Authorization and Approval

Regular business travel, such as NJDOE meetings and association events, is authorized by the board not to exceed \$1,500 per employee, pursuant to N.J.A.C. 6A:23A-7.3(b). Approval by the State District Superintendent or designee is required, including justification for the travel. Regular business travel is authorized for regularly scheduled in-state professional development activities for which the registration fee does not exceed \$150 per employee or board member.

Travel Advances Are Banned

An employee, board member, or organization, shall not receive an amount for travel and travel-related expenses in advance of the travel pursuant to N.J.S.A 18A:19-1 et seq.

Annual Maximum Travel Expenditure Amount

The District shall:

- A. Allot in its annual budget a maximum travel expenditure amount and annually review its policy to assure that it properly reflects the amount budgeted.
- B. Vote to authorize each reimbursement; specifying the way in which it promotes the delivery of instruction or furthers the efficient operation of the District, within the maximum annual amount.
- C. Annually in the pre-budget year, establish by school board resolution, a maximum travel expenditure amount for the budget year, which the District shall not exceed in that budget year. The school board resolution shall also include the maximum amount established for the pre-budget year and the amount spent to date.
- D. Provide that the maximum district travel expenditure amount shall include all travel in accordance with this policy supported by local and State funds.

The State School Business Administrator is hereby authorized to exclude travel expenditures supported by federal funds in the maximum travel expenditure amount. If federal funds are excluded from the established maximum District travel expenditure amount, the board of education shall include in the resolution the total amount of travel supported by federal funds from the prior year, pre-budget year, and projected for the budget year.

Additional Detailed Accounting Requirements which Demonstrate Compliance

In order to demonstrate compliance with this policy, documentation of all reimbursed travel expenses shall be maintained on file in the Office of Accounts Payable. This record may include receipts, checks and vouchers submitted in connection with any reimbursement. The District shall maintain separate accounting for District travel expenditures as necessary, to ensure compliance with the District's maximum travel expenditure amount. This may include, but need not be limited to, a separate or offline accounting of such expenditures or expanding the District's accounting system. The tracking system shall be sufficient to demonstrate compliance with the District's policy and this section, and shall provide auditable information.

Minimization of Travel Expenditures

- A. "Retreats" at District expense will be held at District facilities, if available. A "retreat" is a meeting of school district employees and board members, held away from the normal work environment, at which organizational goals and objectives are discussed.
- B. A District shall not bear costs for car rentals, limousine services, and chauffeuring costs to or during the event, as well as costs for employee attendance for coordinating other attendees' accommodations at the travel event.
- C. One-day trips that do not involve overnight lodging are not eligible for a subsistence payment or reimbursement except in limited circumstances authorized in Department of the Treasury guidelines.
- D. Overnight travel is eligible for a subsistence payment or reimbursement as authorized in Department of the Treasury guidelines, except as otherwise superseded by the following:
 1. Per diem payment or reimbursement for lodging and meals will be actual reasonable costs, not to exceed the federal per diem rates as established in the federal register for the current year;
 2. Lodging expenses may exceed the federal per diem rates if the hotel is the site of the convention, conference, seminar or meeting and the going rate of the hotel is in excess of the federal per diem rates. If the hotel at the site of the convention, conference, seminar, or meeting is no longer available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate for the event;
 3. Receipts are required for hotel expenses;
 4. In any case in which the total per diem reimbursement is greater than the federal per diem rate, except when the going rate for lodging at the site of the convention or meeting exceeds federal per diem rates, the costs will be considered to be excessive and shall not be paid by District funds;
 5. The District shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits;
 6. Payment or reimbursement is approved for the full cost of an official convention meal that the employee or school board member attends, when the meal is scheduled as an integral part of the convention or conference proceedings. If a meal is included in the registration fee, the allowance for the meal is not eligible for reimbursement; and
 7. Air and rail tickets shall be purchased via the internet, if possible, using online travel services such as Travelocity, Expedia, Hotwire or Priceline.

Blanket or general pre-approval for travel is not authorized, and will not be permitted by the District. Specifically, approval shall be itemized by event, event total cost, and number of employees and board members attending the event. However, the District may also approve, at any time prior to the event, travel for multiple months as long as the District approval, as detailed in board minutes, itemizes the approval by event, total cost, and number of employees and board members attending the event.

Types of Expenditures Not Eligible for Reimbursement

Unnecessary and excessive travel expenditures as listed in N.J.A.C. 6A:23A:7.8 are prohibited. Prohibited types of expenditures include: travel by spouses and other relatives; costs for unnecessary employee attendance (for example employees who merely coordinate other attendees' accommodations at the travel event); charges for laundry, valet service and entertainment; District payment for alcoholic beverages; excessive tipping and gratuities; airfare without documentation of at least three (3) price

notes; and souvenirs. Travel expenses, subsistence expenses and incidental travel expenses shall only be allowable when consistent with N.J.A.C. 6A:23A-7.

Waiver

In accordance with N.J.A.C. 6A:23A-7.11(c), the Commissioner of Education is authorized to grant waivers for overnight travel for board members and employees to attend in-state conferences. Such waivers will be granted in only extremely limited circumstances, pursuant to the criteria established by regulation. Such waiver shall permit reimbursement only for those individuals whose home to convention commute exceeds fifty (50) miles.

Penalties

By law, any District that violates its established maximum travel expenditure, or that otherwise is not in compliance with the travel limitations set forth in this section may be subject to sanctions by the commissioner as authorized pursuant to N.J.S.A. 18A:4-23 and N.J.S.A. 18A:4-24, including reduction of State aid in an amount equal to any excess expenditure.

A person who approves any travel in violation of the District's policy or this section shall be required to reimburse the District in an amount equal to three times the cost associated with attending the event.

An employee or member of the board who travels in violation of the district's policy or this section shall be required to reimburse the District in an amount equal to three times the cost associated with attending the event.

Conditions in Existing Contracts

In accordance with OMB Circular 8-19-OMB, section I.B.6, if any condition in an existing negotiated contract as of the date of this policy is in conflict with the circular, such as the mileage reimbursement rate, the provision of the contract will prevail. After the expiration of the existing contract, affected provisions of all subsequent contracts shall be consistent with all applicable law and regulations.

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Key Words

Reimbursement of Board Members, Board Member Reimbursement, Board Member Expenses, Employee Reimbursement, Employee Expenses, Reimbursement of Employees

Legal References:

N.J.S.A. 18A:2-1 Power to effectuate action

N.J.S.A. 18A:4-23 Supervision of schools; enforcement of rules and 24 Determining efficiency of schools; report to state board

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:12-4 Compensation of members

N.J.S.A. 18A:12-24 School Ethics Act (conflict of interest) and 24.1 Code of Ethics

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

N.J.S.A. 18A:55-3 School districts, conditions for receipt of State aid; efficiency standards

N.J.S.C. 6A:23A-5.9 Out of state and high cost travel

N.J.S.C. 6A:23A-7.1 et. seq School district travel policies and procedures

P.L. 2005, c.132 Appropriations Act

P.L. 2007, c. 52 A5 provides for various school district accountability measures

In the Matter of Anthony Esagro, Luis Perez, Clifford Meeks and Frank Speziali, Glassboro Board of Education, CO7-97, March 30, 1998

Possible Cross References:

*3571 Financial reports

*9200 Orientation and training of advisory board members

*9270 Conflict of interest

*Indicates policy is included in the Critical Policy Reference Manual.

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