

REGULATION BID

Las Cruces Public Schools

Related Entries:

Responsible Office: Superintendent

BOARD MEMBER REIMBURSEMENT

I. PURPOSE

To implement the School Board's policy of financial practices with regard to reimbursement of expenses to Board members.

II. GUIDELINES

A. GENERAL PROVISIONS INCLUDING DEFINITIONS, PENALTIES AND RESTRICTIONS

1. For purposes of this regulation, "Board or committee meeting" means "the formal convening of public officers who comprise a board, advisory board, commission or committee even if no further business can take place because of the lack of a quorum" as defined in Subsection B of 2.42.2.7 NMAC. This shall include any committee including temporary committee of the Board established pursuant to State Law or Board Policy BDE such as the Finance Committee and Audit Committee, or any committee established through a Memorandum of Understanding (MOU) approved by the Board.
2. "Designated post of duty," unless otherwise defined in Board policy, means the address of the Las Cruces Public Schools: 505 S. Main Street, Las Cruces, NM 88001, or other single designated location within the Las Cruces Public Schools for discharge of official business on any given day.
3. "Home" for per diem purposes, means the area within a 35-mile radius of the place of legal residence as defined in Subsection F(1) of 2.42.2.7 NMAC.
4. "Home" for mileage purposes, means the place of legal residence as defined in NMSA 1978, Section 1-1-7.
5. "Travel" for per diem purposes, means being on official business away from home and at least 35 miles from the designated post of duty of the Board member.
6. "Normal work day" means 8 hours within a nine-hour period regardless of the Board member's regular work schedule.

7. The Finance Department shall develop reimbursement forms designed to encompass the Travel and Per Diem Act. The forms shall be readily accessible to Board members through the Superintendent's office. Reimbursement forms should contain a listing of support documents, such as a copy of the agenda for a meeting or training attended, and copies of receipts (if applicable).
8. If the Board member is traveling on per diem, he/she does not have to submit Meals & Lodging receipts.
9. The Administrative Assistants to the Office of Superintendent shall be responsible for assisting Board members in meeting the requirements of the Travel and Per Diem Act, including securing pre-authorization for travel, ensuring that reimbursement forms are properly completed, and promptly submitting completed reimbursement forms and requisite documentation to the Finance Department for processing.
10. All reimbursement forms submitted by an Office of Superintendent Administrative Assistant to the Finance Department shall be processed as soon as possible but no later than 10 business days from receipt by the Finance Department of the completed form(s) including qualifying documentation. Following receipt, the Finance Department shall promptly notify the Office of Superintendent Administrative Assistant and individual Board member of any missing information. The Office of Superintendent Administrative Assistant shall assist the Board member in addressing any deficiencies.
11. Any individual Board member or employee covered by the Per Diem and Mileage Act who knowingly authorizes or who knowingly accepts payment in excess of the amount allowed by the Per Diem and Mileage Act or in excess of the amount authorized by the Secretary of Finance or the Board of Education pursuant to NMSA 1978, Section 10-8-5 is liable to the state in an amount that is twice the excess payment.
12. No reimbursement for out-of-state travel shall be paid to any individual Board member, if after the last day to do so that Board member has not filed a declaration of candidacy for reelection to his or her currently held office or has been defeated for reelection to his currently held office.

B. PER DIEM REIMBURSEMENT FOR BOARD OR COMMITTEE MEETINGS

1. Individual Board members of the Board of Education may accept the per-meeting per diem reimbursement for each board or committee meeting attended. Should any members of the board choose to accept the per-meeting per diem reimbursement, it shall be in the amount of \$95, as currently allowed by state law.

2. At his or her discretion, an individual Board member may refuse to accept the reimbursement for any Board or committee meeting attended.
3. Board members may elect to receive payments for reimbursement by check mailed to their preferred mailing address or by ACH to their personal bank account. The default method is by check to their preferred mailing address. To receive payments by ACH, Board members must complete the forms provided by the Financial Services Department. Per diem payments for reimbursement to Board members for their attendance at a Board or committee meeting will be processed within 10 business days after receipt of a completed and signed request for reimbursement in the Financial Services Department certifying attendance at a Board or committee meeting.

C. PER DIEM REIMBURSEMENT FOR TRAVEL ON OTHER OFFICIAL BUSINESS

1. Individual Board members of the Board of Education may accept reimbursement of per diem expenses at State approved per diem rates for each day spent in discharge of official duties as determined by the Board for travel within the state or out-of-state, but away from the Board member's home.
2. At his or her discretion, an individual Board member may refuse to accept per diem reimbursement for any day spent in the discharge of official duties as determined by the Board for travel within the state or out-of-state but away from the Board member's home.
3. In order to be eligible for travel reimbursement, the travel must be pre-authorized. This entails submitting a purchase requisition in advance of travel so that the funds can be properly encumbered. The Administrative Assistants to the Office of Superintendent shall be responsible for securing the requisite pre-authorization for all Board travel on official business.
4. Board members may elect to receive payments for reimbursement by check mailed to their preferred mailing address or by ACH to their personal bank account. The default method is by check to their preferred mailing address. To receive payments by ACH, Board members must complete the forms provided by the Financial Services Department.
5. Per diem rates shall be computed in accordance with Subsection B of 2.42.2.8 NMAC. Per diem rates shall be paid without regard to whether expenses are actually incurred. Where lodging and/or meals are provided or paid for by LCPS or another entity, the Board member is entitled to reimbursement only for actual expenses.
6. Board members shall be reimbursed for travel which does not require overnight lodging, but extends beyond a normal work day as follows:

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|--|---------|
| Less than 2 hours beyond normal work day | \$0 |
| 2 to 6 hours beyond normal work day | \$12.00 |
| 6 to 12 hours beyond normal work day | \$20.00 |
| 12 hours or more beyond normal work day | \$30.00 |

7. Regardless of the number of hours traveled, where overnight lodging is required, Board members shall be reimbursed as follows:

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|-----------------------------|-----------|
| In-state | \$85.00 |
| In-state special (Santa Fe) | \$135.00 |
| Out-of-state | \$115.00* |

*Per Board policy, if \$115.00 is inadequate for out-of-state travel, per diem not to exceed \$215.00 for out-of-state travel is allowed when permitted by the Secretary of Finance and Administration.

8. Out-of-state travel per diem shall be paid for destinations 150 miles or more beyond the exterior boundaries of New Mexico. All other per diem shall be paid at the in-state rate. Travel to El Paso, Texas is excluded as out-of-state travel.
9. Out-of-state travel to areas classified as “Special Areas” (including travel outside the contiguous 48 states or within the city limits of Boston; New York City; Washington, D.C.; Philadelphia; Dallas/Fort Worth; San Diego; Los Angeles; San Francisco; Chicago; Atlanta; Palm Springs; Atlantic City; and Las Vegas, Nevada) by LCPS travel regulations shall receive reimbursement of expenses for lodging not exceeding the single occupancy room charge (including tax) in lieu of the per diem rate with the prior approval of the Board of Education.
10. On the last day of travel when overnight lodging is no longer required, per diem partial day reimbursement shall be made. To calculate the number of hours in the partial day, begin with the time the traveler initially departed. Divide the number of hours traveled by 24. The hours remaining constitute the partial day which shall be reimbursed as follows:

| | |
|--------------------------------|---------|
| Less than 2 hours | \$0 |
| 2 hours, but less than 6 hours | \$12.00 |
| 6 to 12 hours | \$20.00 |
| 12 hours or more | \$30.00 |

D. REIMBURSEMENT FOR ACTUAL EXPENSES IN LIEU OF PER DIEM RATES

1. Upon written request of an individual Board member, the Board of Education through Board action may grant written approval for a Board member to be

reimbursed actual expenses in lieu of the per diem rate where overnight travel is required.

2. Whenever possible, individual Board members should stay in hotels which offer government rates. Board members who incur lodging expenses in excess of \$215.00 per night must obtain the signature of the Superintendent or Board President on the travel voucher prior to requesting reimbursement and on the encumbering document at the time of encumbering the expenditure.
3. Actual expenses for meals are limited by NMSA 1978, Section 10-8-4(K)(2) to a maximum of \$30.00 for in-state travel and \$45.00 for out-of-state travel for a 24-hour period.
4. The individual Board member must submit receipts for the actual meal and lodging expenses incurred. Under circumstances where the loss of receipts would create a hardship, an affidavit from the Board member attesting to the expenses may be substituted for actual receipts. The affidavit must accompany the travel voucher.

E. REIMBURSEMENT FOR OTHER EXPENSES IN ADDITION TO PER DIEM RATES

1. Individual Board members of the Board of Education may be reimbursed for certain actual expenses in addition to per diem rates.
2. Receipts not required: Individual Board members may be reimbursed without receipts for the following expenses in an amount of \$6.00 per day not to exceed a total of \$30.00 per trip:
 - a. taxi or other transportation fares at the destination of the traveler;
 - b. gratuities as allowed by the agency head or designee; and
 - c. parking fees.
 - d. However, if more than \$6.00 per day or \$30.00 per trip is claimed, the entire amount of the reimbursement claim must be accompanied by receipts.
3. Receipts required: Individual Board members may be reimbursed for the following expenses provided that receipts for all such expenses are attached to the reimbursement voucher:
 - a. actual costs for travel by common carrier, provided such travel is accomplished in the most economical manner practical;
 - b. rental cars provided less expensive public transportation is not available or appropriate;
 - c. registration fees for educational programs or conferences, provided, if the fee includes lodging or meals, then no per diem rates shall be paid and only actual expenses paid by the Board member and not

included in the fee shall be reimbursed within the limits of 2.42.2.9 NMAC; and

- d. professional fees or dues that are beneficial to the agency’s operations or mission.
- e. Under circumstances where the loss of receipts would deny reimbursement and create a hardship, an affidavit from the Board member attesting to the expenses may be substituted for actual receipts. The affidavit must accompany the travel voucher and include the signature of the Superintendent or Board.

4. Reimbursements shall not be made for alcoholic beverages.

F. MILEAGE REIMBURSEMENT

- 1. Individual Board members may be reimbursed for mileage accrued in the use of a private vehicle in the discharge of official duties, at the statutory rates unless such rates have been reduced by Board pursuant to NMSA 1978, Section 10-8-5 (D), as follows:

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| Standard vehicle mileage rate, per mile | 80 percent of Internal Revenue Service mileage rate; set January 1 of the previous year |
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- 2. Mileage accrued shall be reimbursed at the approved rate as follows:
 - a. pursuant to the mileage chart of the official state map published by the state highway and transportation department for distances in New Mexico and the most recent edition of the Rand-McNally road atlas for distances outside of New Mexico; or
 - b. pursuant to actual mileage if the beginning and ending odometer reading is certified as true and correct by the traveler; and
 - (1) the destination is not included on the official state map or on the Rand McNally road atlas, or,
 - (2) at the destination(s) of the board member, the board member was required to use the private conveyance in performance of official duties.

In-state standard mileage chart

| City | One Way | Round Trip |
|-----------------|---------|------------|
| Anthony/Gadsden | 25 | 50 |
| Alamogordo | 68 | 136 |
| Albuquerque | 223 | 446 |
| Carlsbad | 208 | 416 |
| Cloudcroft | 87 | 174 |
| Deming | 59 | 118 |
| El Paso | 45 | 90 |
| Farmington | 405 | 810 |

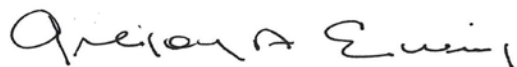
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| Gallup | 339 | 678 |
| Roswell | 185 | 370 |
| Ruidoso | 114 | 228 |
| Santa Fe | 282 | 564 |
| Silver City | 112 | 224 |
| Socorro | 146 | 292 |
| Taos | 352 | 704 |

3. Total mileage reimbursement for out of state travel by privately owned automobile shall not exceed the total coach class commercial airfare that would have been reimbursed those traveling had they traveled by common carrier. This does not apply to LCPS when transporting students.

4. Mileage accrued while on official business shall be reimbursed for travel on official business as approved by the Board of Education. The Board may authorize by memorandum reimbursement for mileage from a point of origin farther from the destination than the designated post of duty in appropriate circumstances. The memorandum must accompany the payment voucher. If official business is transacted while commuting from home to post of duty or from post of duty to home, mileage shall not be paid for the number of miles between post of duty and home. Odometer readings showing additional miles accrued for official business must be provided to the agency for payment.

III. REVIEW

This regulation shall be reviewed on an ongoing basis in accordance with the Board of Education policy review process.



LCPS Superintendent

11/5/18

Date Approved

History: Formerly Policy 145, Reviewed 11.18.03; revised 06.02.09; Revised 7.17.18

Legal Reference: N.M. State Ann. 10-8-1 to 10-8-8 (NMSA, 1978) 2.42.2 (NMAC, 2003), N.M. Stat. Ann. 22-5-5 (NMSA, 1978)