

Board Bylaws

REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS

Remuneration

Each member of the Governing Board may receive the monthly compensation as provided for in law.

On an annual basis, the Board may increase the compensation of Board members beyond the limit delineated in Education Code 35120 in an amount not to exceed five percent based on the present monthly rate of compensation. Any increase made pursuant to this section shall be effective upon approval by the Board. (Education Code 35120)

Board members are not required to accept payment for meetings attended.

If a member does not attend all Board meetings during the month, he/she is eligible to receive a percentage of the monthly compensation equal to the percentage of meetings attended unless otherwise authorized by the Board in accordance with law. (Education Code 35120)

A member may be paid for meetings he/she missed when the Board, by resolution, finds that he/she was performing designated services for the district at the time of the meeting or that he/she was absent because of illness, jury duty or a hardship deemed acceptable by the Board. (Education Code 35120)

In order to receive compensation for attending any Board meeting, Board members shall be present for at least 75 percent of the meeting time.

Reimbursement of Expenses

Board members shall be reimbursed for traveling expenses incurred when authorized in advance by the Board. (Education Code 35044)

The rate of reimbursement shall be the same rate specified for district personnel.

Board members may use district-issued credit cards while on official district business. Under no circumstances may personal expenses be charged on district credit cards.

Board members may participate in the health and welfare benefits program provided for district employees.

REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS (continued)

Health and Welfare Benefits

Health and welfare benefits for Board members shall be no greater than that received by district's nonsafety employees with the most generous schedule of benefits. (Government Code 53208.5)

The district shall pay the cost of all premiums required for Board members electing to participate in the district health and welfare benefits program.

Health and welfare benefits provided to Board members shall be extended at the same level to their spouses, dependent children under the age of 21, dependent children under the age of 25 who are full-time students at a college or university, and dependent children regardless of age who are physically or mentally incapacitated.

Benefits for Retired Board Members

Retired Board members may participate in the health and welfare benefits program provided for district employees under the conditions specified below.

Health and welfare benefits for retired Board members shall be no greater than that received by district nonsafety employees with the most generous schedule of benefits. (Government Code 53208.5)

Because the district paid for health and welfare benefits for former Board members before January 1, 1994, any former Board member may continue to participate in the district's health and welfare benefits at the district's expense so long as that member satisfies all of the following conditions: (1) he/she served in office after January 1, 1981, (2) his/her term began before January 1, 1995, and (3) he/she has served for 12 or more years. These payments shall be made under the same terms as made for former Board members before January 1, 1994. (Government Code 53201)

Any former member whose first term of office began on or after January 1, 1995, and any other member retiring from the Board after at least one term, may continue the health and welfare benefits program at his/her own expense if coverage is in effect at the time of retirement. (Government Code 53201)

The benefits authorized for retired Board members shall be extended at the same level to the retired Board member's spouse, dependent children under the age of 21, dependent children under the age of 25 who are full-time students at a college or university, and dependent children regardless of age who are physically or mentally incapacitated.

REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS (continued)

- (cf. 9240 - Board Development)
- (cf. 3350 - Travel Expenses)
- (cf. 4154/4254/4354 - Health and Welfare Benefits)

Legal Reference:

EDUCATION CODE

- 1090 Compensation for members and mileage allowance
- 33050-33053 General waiver authority
- 33362-33363 Reimbursement of expenses (Department of Education and CSBA workshops)
- 35012 Board members; number, election and term
- 35044 Payment of traveling expenses of representatives of board
- 35120 Compensation (services as member of governing board)
- 35172 Promotional activities
- 44038 Cash deposits for transportation purchased on credit

GOVERNMENT CODE

- 20322 Elective officers; election to become member
- 53200-53209 Group insurance

UNITED STATES CODE, TITLE 26

- 403(b) Tax-sheltered annuities

COURT DECISIONS

- Thorning v. Hollister School District, (1992) 11 Cal.App.4th 1598
- Board of Education of the Palo Alto Unified School District v. Superior Court of Santa Clara County, (1979) 93 Cal.App.3d 578

ATTORNEY GENERAL OPINIONS

- 83 Ops.Cal.Atty.Gen. 124 (2000)

Management Resources:

WEB SITES

- CSBA: <http://www.csba.org>
- Public Employees' Retirement System: <http://www.calpers.ca.gov>