

Bylaw 9250: Remuneration, Reimbursement And Other Benefits

Status: ADOPTED

Original Adopted Date: 01/24/2012

Remuneration

Each member of the Governing Board may receive a monthly compensation of no more than \$240.00.

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 regularly scheduled 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)

Reimbursement of Expenses

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

(cf. 9240 - Board Development)

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

(cf. 3350 - Travel Expenses)

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.

Health and Welfare Benefits

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

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

(cf. 4154/4254/4354 - Health and Welfare Benefits)

The district shall pay the cost of all premiums required for Board members electing to participate in the district health and welfare benefits program to the same extent that the district pays premiums for district staff in accordance with Government Code 53208.5.

Health and welfare benefits provided to Board members shall be extended at the same level to their spouses, dependent children under the age of 26.

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.

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 35201)

Because the district did not pay health and welfare benefits for retired Board members before January 1, 1994, any former 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)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 33050-33053

Ed. Code 33362-33363

Ed. Code 35012

Ed. Code 35044

Ed. Code 35120

Ed. Code 35172

Ed. Code 44038

Fam. Code 297-297.5

Gov. Code 20322

Gov. Code 20420-20445

Gov. Code 3543.7

Gov. Code 53200-53209

Gov. Code 54952.3

Gov. Code 8314

H&S Code 1373

Ins. Code 10277-10278

Description

General waiver authority

Reimbursement of expenses; board member or member-elect

Board members; number, election and terms

Payment of traveling expenses of representatives of board

Course credit for student board members

Promotional activities

Cash deposits for transportation purchased on credit

Rights, protections, benefits under the law; registered domestic partners

Elective officers; election to become member

Membership in Public Employees' Retirement System; definition of safety employees

Duty to meet and negotiate in good faith

Group insurance

Simultaneous or serial meetings; announcement of compensation

Use of public resources

Health services plan, coverage for dependent children

Group and individual health insurance, coverage for dependent children

Federal References

26 CFR 1.403(b)-2

26 USC 403

42 USC 18011

Description

Tax-sheltered annuities, definition of employee

Tax-sheltered annuities

Right to maintain existing health coverage

Management Resources References

Attorney General Opinion

Attorney General Opinion

Court Decision

Court Decision

Institute for Local Government Publication

Internal Revenue Service Publication

Website

Website

Website

Website

Description

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

91 Ops.Cal.Atty.Gen. 37 (2008)

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

Sample Expense and Use of Public Resources Policy Statement, January 2006

Tax-Sheltered Annuity Plans (403(b) Plans) for Employees of Public Schools and Certain Tax-Exempt Organizations, Publication 571, rev. February 2013

Public Employees' Retirement System -

<https://simbli.eboardsolutions.com/SU/vTYKk6bnVN4oQETslshPnplusqXQ==>

Institute for Local Government -

<https://simbli.eboardsolutions.com/SU/U2G2edhR1agbQ5dqpPtfmA==>

Internal Revenue Service -

<https://simbli.eboardsolutions.com/SU/Q4VQpg5n4iGWL4GteBcOQw==>

CSBA -

<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

Cross References

Description

| | |
|--------|--|
| 1160 | Political Processes - https://simbli.eboardsolutions.com/SU/ifSyD9QorX5qzt1srslshoinA== |
| 3100 | Budget - https://simbli.eboardsolutions.com/SU/lzplusQjRimmq8lxVsWdBS6PA== |
| 3100 | Budget - https://simbli.eboardsolutions.com/SU/ORA5l7eaHf0R1gsi1kXXVA== |
| 3513.1 | Cellular Phone Reimbursement - https://simbli.eboardsolutions.com/SU/x0EDcNJAzwRTLxBY6JXjww== |
| 4154 | Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/8knG1KIDKgim6QcGgP6zXg== |
| 4154 | Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/eyDon186etVJydx9vyZxOA== |
| 4254 | Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/o6E2Y1G22oPSCjy9rE4kAA== |
| 4254 | Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/PjiAvYQVI9eplusMrdT6KqslshxQ== |
| 4354 | Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/bFOmuGkTjRI8fqjnGg3PhA== |
| 4354 | Health And Welfare Benefits - https://simbli.eboardsolutions.com/SU/QpsfCC2ZCZiMxyKzVJ4ipQ== |
| 9110 | Terms Of Office - https://simbli.eboardsolutions.com/SU/3HMfxjFN0IKSzhFVEacbEQ== |
| 9324 | Minutes And Recordings - https://simbli.eboardsolutions.com/SU/jPvSe1keUU84Ffa7boOOoFQ== |