

REMUNERATION, REIMBURSEMENT, AND OTHER BENEFITS

RESOLUTION ON EXCUSING BOARD MEMBER ABSENCE FOR PURPOSES OF MONTHLY COMPENSATION

WHEREAS, the members of the Governing Board of the _____ School District (Board) receive monthly compensation for meeting attendance in accordance with Education Code 35120 (EC 35120) and Board Bylaw 9250 - Remuneration, Reimbursement and Other Benefits (BB 9250);

WHEREAS, pursuant to EC 35120 and BB 9250, a Board member who is absent from a Board meeting shall not receive the pro rata monthly compensation for that meeting unless the Board finds, via resolution, that the Board member was absent due to the need to perform services for the district, illness, jury duty, or a hardship deemed acceptable by the Board at the time of the Board meeting; and

WHEREAS, _____ (name of Board member) was absent from the Board meeting(s) on _____ (date(s)).

NOW THEREFORE BE IT RESOLVED, the Board finds that the absence of _____ (name of Board member) from the Board meeting(s) on _____ (date(s)) is excused for the following reasons(s):

- Performance of other designated duties for the district
- Illness
- Jury duty
- Hardship deemed acceptable by the Board

; and

BE IT FURTHER RESOLVED, the Board authorizes _____ (name of Board member) to be compensated for the Board meeting(s) on _____ (date(s)).

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 Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

Cal. Const. Art. XVI, Sec. 6

Description

Prohibition on gifts of public funds

REMUNERATION, REIMBURSEMENT, AND OTHER BENEFITS

<i>Ed. Code 33050-33053</i>	<u><i>General waiver authority</i></u>
<i>Ed. Code 33362-33363</i>	<u><i>Reimbursement of expenses; board member or member-elect</i></u>
<i>Ed. Code 35012</i>	<u><i>Board members; number, election, and terms</i></u>
<i>Ed. Code 35044</i>	<u><i>Payment of traveling expenses of representatives of board</i></u>
<i>Ed. Code 35120</i>	<i>Board member compensation</i>
<i>Ed. Code 35160</i>	<i>School Board authority</i>
<i>Ed. Code 35172</i>	<u><i>Promotional activities</i></u>
<i>Ed. Code 44038</i>	<u><i>Cash deposits for transportation purchased on credit</i></u>
<i>Fam. Code 297-297.5</i>	<u><i>Rights, protections, benefits under the law; registered domestic partners</i></u>
<i>Gov. Code 20322</i>	<u><i>Elective officers; election to become member</i></u>
<i>Gov. Code 20420-20445</i>	<u><i>Membership in Public Employees' Retirement System; definition of safety employees</i></u>
<i>Gov. Code 3543.7</i>	<u><i>Duty to meet and negotiate in good faith</i></u>
<i>Gov. Code 53200-53209</i>	<u><i>Group insurance</i></u>
<i>Gov. Code 54952.3</i>	<u><i>Simultaneous or serial meetings; announcement of compensation</i></u>
<i>Gov. Code 8314</i>	<u><i>Use of public resources</i></u>
<i>H&S Code 1373</i>	<u><i>Health services plan; coverage for dependent children</i></u>
<i>Ins. Code 10277-10278</i>	<u><i>Group and individual health insurance; coverage for dependent children</i></u>
Federal	Description
<i>26 CFR 1.403(b)-2</i>	<i>Tax-sheltered annuities; definition of employee</i>
<i>26 USC 403</i>	<u><i>Tax-sheltered annuities</i></u>
<i>42 USC 18011</i>	<u><i>Right to maintain existing health coverage</i></u>
Management Resources	Description
<i>Attorney General Opinion</i>	<u><i>83 Ops.Cal.Atty.Gen. 124 (2000)</i></u>
<i>Attorney General Opinion</i>	<u><i>91 Ops.Cal.Atty.Gen. 37 (2008)</i></u>
<i>Court Decision</i>	<u><i>Thorning v. Hollister School District (1992) 11 Cal.App.4th 1598</i></u>
<i>Court Decision</i>	<u><i>Board of Education of the Palo Alto Unified School District v. Superior Court of Santa Clara County (1979) 93 Cal.App.3d 578</i></u>
<i>Institute for Local Government Publication</i>	<u><i>Sample Expense and Use of Public Resources Policy Statement, January 2006</i></u>
<i>Internal Revenue Service Publication</i>	<i>Tax-Sheltered Annuity Plans (403(b) Plans) for Employees of Public Schools and Certain Tax-Exempt Organizations, Publication 571, rev. January 2025</i>
<i>Website</i>	<u><i>CSBA District and County Office of Education Legal Services</i></u>
<i>Website</i>	<u><i>Public Employees' Retirement System</i></u>
<i>Website</i>	<u><i>Institute for Local Government</i></u>
<i>Website</i>	<u><i>Internal Revenue Service</i></u>

REMUNERATION, REIMBURSEMENT, AND OTHER BENEFITS

Website

[CSBA](#)

Cross References

Policy

Description

1160

[Political Processes](#)

3100

[Budget](#)

3100

[Budget](#)

3350

[Travel Expenses](#)

3513.1

[Cellular Phone Reimbursement](#)

4154

[Health And Welfare Benefits](#)

4154

[Health And Welfare Benefits](#)

4254

[Health And Welfare Benefits](#)

4254

[Health And Welfare Benefits](#)

4354

[Health And Welfare Benefits](#)

4354

[Health And Welfare Benefits](#)

9110

[Terms Of Office](#)

9150

[Student Board Members](#)

9240

[Board Training](#)

9324

[Minutes And Recordings](#)

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