Remuneration, Reimbursement, and Other Benefits

Adopted: 11/02/1976 **| Last Revised**: 01/14/2025 **| Last Reviewed**: 01/14/2025

Compensation

Each member of the Board of Education may receive the maximum monthly compensation as provided for in Education Code 35120.

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.

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

Any member who does not attend all Board meetings during the month, is eligible to receive only a percentage of the monthly compensation equal to the percentage of meetings attended, unless otherwise authorized by the Board in accordance with law.

Members may be paid for meetings missed when the Board, by resolution, finds that they were performing designated services of the district at the time of the meeting. During any fiscal year, members also may be paid for up to two meetings when the Board, by resolution, finds that they were absent because of illness, jury duty, or due to a hardship deemed acceptable by the Board.

Student Board representatives shall receive no compensation for meetings attended.

Reimbursement of Expenses

Board members shall be reimbursed for actual and necessary expenses incurred when performing authorized services for the district. Board members shall also be reimbursed for travel expenses incurred when performing services directed by the Board.

Expenses for travel, telephone, business meals, or other authorized purposes shall be in accordance with policies established for district personnel and at the same rate of reimbursement.

Authorized purposes may include, but are not limited to, attendance at educational seminars or conferences designed to improve Board members' skills and knowledge; participation in regional, state, or national organizations whose activities affect the district's interests; attendance at district or community events; and meetings with state or federal officials on issues of community concern.

Personal expenses shall be the responsibility of individual Board members. Personal expenses include, but are not limited to, the personal portion of any trip, tips or gratuities, alcohol, entertainment, laundry, expenses of any family member who is accompanying the Board member on district-related business, personal use of an automobile, and personal losses and traffic violation fees incurred while on district business.

Any questions regarding the propriety of a particular type of expense should be resolved by the Superintendent or designee before the expense is incurred.

Board members may use district-issued credit cards while on official district business and consistent with the limits established for district personnel. Personal expenses shall not be charged on a district-issued credit card, even if the Board member intends to subsequently reimburse the district for the personal charges.

Health and Welfare Benefits for Current Board Members

Board members may participate in the health and welfare benefits program provided for district employees during their term of office.

Health and welfare benefits for Board members shall be no greater than that received by the district's employees with the most generous schedule of benefits, currently the health benefits schedule for district teachers is used.

Health and welfare benefits provided to Board members shall be extended at the same level to their spouse/registered domestic partner and to their eligible dependent children as specified in law and the health plan.

Health and Welfare Benefits for Former Board Members

Former 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 former Board members shall be no greater than that received by the district's employees with the most generous schedule of benefits, currently the health benefits schedule for district teachers is used.

Any former Board member, leaving the Board after who have served at least one full term of office, may participate in the health and welfare benefits program at their own expense if coverage is in effect at the time of retirement/leaving office.

Health and welfare benefits provided to a former Board member shall be extended, at their own expense and at the same level, to their spouse/registered domestic partner and eligible dependent children as specified in law and the health plan.

Bylaw Reference Disclaimer:
These references are not intended to be part of the bylaw 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 bylaw.

Legal References:

STATE
EDUCATION CODE
33050-33053 General waiver authority
33362-33363 Reimbursement of expenses; board member or member-elect
35012 Board members; number, election and terms
35044 Payment of traveling expenses of representatives of board
35120 Student board membership
35172 Promotional activities
44038 Cash deposits for transportation purchased on credit
FAMILY CODE
297-297.5 Rights, protections, benefits under the law; registered domestic partners
GOVERNMENT CODE
20322 Elective officers; election to become member

20420-20445 Membership in Public Employees' Retirement System; definition of safety employees
3543.7 Duty to meet and negotiate in good faith
53200-53209 Group insurance
54952.3 Simultaneous or serial meetings; announcement of compensation
8314 Use of public resources
HEALTH & SAFETY CODE
1373 Health services plan; coverage for dependent children
INSURANCE CODE
10277-10278 Group and individual health insurance; coverage for dependent children
FEDERAL
CODE OF FEDERAL REGULATIONS
26 CFR 1.403(b)-2 Tax-sheltered annuities; definition of employee
UNITED STATES CODE
26 USC 403 Tax-sheltered annuities
42 USC 18011 Right to maintain existing health coverage
MANAGEMENT RESOURCES
ATTORNEY GENERAL OPINION
83 Ops.Cal.Atty.Gen. 124 (2000)
91 Ops.Cal.Atty.Gen. 37 (2008)
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
INSTITUTE FOR LOCAL GOVERNMENT PUBLICATION
Sample Expense and Use of Public Resources Policy Statement, January 2006
INTERNAL REVENUE SERVICE PUBLICATION
Tax-Sheltered Annuity Plans (403(b) Plans) for Employees of Public Schools and Certain Tax-Exempt Organizations, Publication 571, rev. February 2013
WEBSITES
CSBA District and County Office of Education Legal Services https://legalservices.csba.org/#
Public Employees' Retirement System http://www.calpers.ca.gov/
Institute for Local Government http://www.ca-ilg.org/
Internal Revenue Service http://www.irs.gov/
CSBA http://www.csba.org/#

Policy Adopted:	11/02/1976
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Revised:	07/21/1981
Revised:	04/02/1985
Revised:	02/06/1990
Revised:	02/18/1997
Revised:	04/06/2004
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