

## Bylaws of the Board

BB 9250(a)

### REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS

#### Remuneration

Each member of the Board of Trustees 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)~~

<p><b>A member may be paid for any meeting when absent, if the Board, by resolution duly adopted and included in its minutes, finds that at the time of the meeting he/she was performing services outside the meeting for the school district, he/she was ill or on jury duty, or the absence was due to a hardship deemed acceptable by the Board (Education Code 35120). To request Board consideration for payment, a member shall complete the attached exhibit form and submit to the Clerk of the Board.</b></p>
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#### Reimbursement of Expenses

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

*(cf. 9240 - Board Development)*

It is expected that individual trustees will incur incidental expenses, resulting from receipt of information and communications with district personnel. It shall be the policy of the Board to pay the costs of the following types of expenses incurred by individual members of the Board for school-related business:

1. Fax charges
2. Telephone charges

**REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS** (continued)

3. Occasional clerical assistance by non-district employees
4. Other expenses related to Board member administrative responsibilities.

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

*(cf. 3350 - Travel Expenses)*

**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 with the most generous schedule of benefits. (Government Code 53208.5)

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

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

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)

The Board may provide for the continuation of any health and welfare benefits for former district Board members who:

1. Served in office after January 1, 1981
2. Whose total services at the time of termination is not less than 12 years

**REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS** (continued)

3. Who agree to and do pay the full costs of the health and welfare benefits

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.

*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>