

REMUNERATION, REIMBURSEMENT, AND OTHER BENEFITS

Remuneration

Each member of the Governing Board may receive a monthly compensation of no more than \$240 as per Education Code 35120 (a)(5).

Education Code 35120 authorizes a majority of the Board, on an annual basis, to vote to increase members' remuneration in an amount not to exceed five percent, based on the present monthly rate of compensation. As amended by AB 1818 (Ch. 1168, Statutes of 2002), Education Code 35120 no longer authorizes voters in the district to place a referendum on the ballot regarding the increase.

Therefore, any increase becomes effective upon approval of the Board.

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)

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

Student Board members shall receive no remuneration for meetings attended. (Education Code 35012)

(cf. 9240 - Board Development)

Reimbursement of Expenses

Board members shall be reimbursed for all actual and necessary expenses incurred in attending any meetings or in making any trips on official business of the school district when so authorized in advance by the Board. (Education Code 35044)

The rate of reimbursement shall not exceed any limitations specified for district personnel.

(cf. 3350 - Travel Expenses)

REMUNERATION, REIMBURSEMENT, AND OTHER BENEFITS (continued)

Health and Welfare Benefits

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

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

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

Retired Board Members

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)

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)

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>