

**SAN LORENZO  
UNIFIED SCHOOL DISTRICT  
BOARD BYLAW**

**Board Bylaw**

BB 9250 (a)

**REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS**

**Remuneration**

Education Code 35120 authorizes Governing Board members to receive remuneration. Education Code 35120 also specifies allowable maximum amounts based on average daily attendance. Districts selecting Option 2 below should specify an amount up to the maximum provided by law.

Each member of the Governing Board may receive the monthly compensation as provided for in law.

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.

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)

**Reimbursement of Expenses**

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

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

Board members shall not be issued district credit cards for any reason.

#### 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)

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, children up to age 26 and dependent children regardless of age who are physically or mentally incapacitated or in accordance with current state and/or federal health care regulations.

#### 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)

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 serving 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). These provisions shall be equal to the length of the term served on the Board or to age 65, whichever is the greater.

The benefits authorized for retired Board members shall be extended at the same level to the retired Board member's spouse, children up to age 26 and dependent children regardless of age who are physically or mentally incapacitated or in accordance with current state and/or federal health care regulations.

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>

Board Adopted: November 17, 2009

Revised: March 6, 2012