

Bylaw 9250: Remuneration, Reimbursement And Other Benefits**Status: ADOPTED**

Original Adopted Date: 11/01/2001 | **Last Revised Date:** 08/01/2013 | **Last Reviewed Date:** 08/01/2013

Compensation

The members of the Governing Board view their Board service as a voluntary contribution to the community and elect not to receive the compensation to which they are entitled pursuant to Education Code 35120.

Reimbursement of Expenses

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

Board members shall be reimbursed for travel expenses incurred when performing services directed by the Board. (Education Code 35044)

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.

Health and welfare benefits for Board members shall be no greater than that received by the district's nonsafety employees with the most generous schedule of benefits. (Government Code 53208.5)

Board members who elect to participate shall pay the full cost of premiums.

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.

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

State	Description
Ed. Code 33050-33053	<u>General waiver authority</u>
Ed. Code 33362-33363	<u>Reimbursement of expenses; board member or member-elect</u>
Ed. Code 35012	<u>Board members; number, election and terms</u>
Ed. Code 35044	<u>Payment of traveling expenses of representatives of board</u>
Ed. Code 35120	<u>Student board membership</u>
Ed. Code 35172	<u>Promotional activities</u>
Ed. Code 44038	<u>Cash deposits for transportation purchased on credit</u>
Fam. Code 297-297.5	<u>Rights, protections, benefits under the law; registered domestic partners</u>
Gov. Code 20322	<u>Elective officers; election to become member</u>
Gov. Code 20420-20445	<u>Membership in Public Employees' Retirement System; definition of safety employees</u>
Gov. Code 3543.7	<u>Duty to meet and negotiate in good faith</u>
Gov. Code 53200-53209	<u>Group insurance</u>
Gov. Code 54952.3	<u>Simultaneous or serial meetings; announcement of compensation</u>
Gov. Code 8314	<u>Use of public resources</u>
H&S Code 1373	<u>Health services plan; coverage for dependent children</u>

Ins. Code 10277-10278

[Group and individual health insurance; coverage for dependent children](#)

Federal

26 CFR 1.403(b)-2

Description

Tax-sheltered annuities; definition of employee

26 USC 403

[Tax-sheltered annuities](#)

42 USC 18011

[Right to maintain existing health coverage](#)

Management Resources

Attorney General Opinion

Description

83 Ops.Cal.Atty.Gen. 124 (2000)

Attorney General Opinion

91 Ops.Cal.Atty.Gen. 37 (2008)

Court Decision

Thorning v. Hollister School District (1992) 11 Cal.App.4th 1598

Court Decision

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

Website

[CSBA District and County Office of Education Legal Services](#)

Website

[Public Employees' Retirement System](#)

Website

[Institute for Local Government](#)

Website

[Internal Revenue Service](#)

Website

[CSBA](#)

Cross References

Code

1160

Description

[Political Processes](#)

3100

[Budget](#)

3100

[Budget](#)

3350

[Travel Expenses](#)

3513.1

[Cellular Phone Reimbursement](#)

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4154	<u>Health And Welfare Benefits</u>
4254	<u>Health And Welfare Benefits</u>
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9110	<u>Terms Of Office</u>
9150	<u>Student Board Members</u>
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