

Board Bylaws

REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS

Remuneration

Each member of the Governing Board may receive the maximum monthly compensation as provided for in Education Code 35120. (Note: For CUSD that maximum is \$240.)

On an annual basis, the Board may increase the compensation of the 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 (Education Code 35120)

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 he/she attended, unless otherwise authorized by the Board in accordance with law. (Education Code 35120)

A member may be compensated 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)

Authorized purposes may include, but are not limited to, attendance at educational seminars or conference 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 members 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.

(cf. 9240 – Board Development)

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 non-safety 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 current cap toward the cost of the Board member's selected medical plan. The district shall pay for the cost of the dental and/or vision plan. If the Board member chooses a plan that costs less than the current cap for medical, the Board member will not receive the difference back in cash. The Board member shall pay any amount over the cost of the medical, premiums to CUSD on a monthly basis. The district shall send an invoice to the Board member monthly with payment due per date of the invoice.

It is not mandatory for Board members to participate in health benefits. The Board member may decline to participate in medical, dental and/or the vision benefits. However, if the Board member decides to participate and/or decline, they must do so only during the annual open enrollment period, or upon becoming elected to the Board. No changes can be made to the Board member's health benefits after the open enrollment period, or after being elected unless there is a qualifying event.

Health and welfare benefits provided the Board members shall be extended at the same level to their spouses, dependent children under the age of 26, and dependent children regardless of age who are physically or mentally incapacitated.

Benefits for 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 26, 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://calpers.ca.gov>

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Calaveras Unified School District
San Andreas, CA 95249

CUSD