

Bylaw 9250-B: Remuneration, Reimbursement And Other Benefits

Status: ADOPTED

Original Adopted Date: 04/11/2019

Compensation

Each member of the Banta Unified School Board may receive the maximum monthly compensation as provided for in law and Board policy as follows: Each member of the Board who physically attends all regularly scheduled, special, and emergency meetings held shall receive as compensation for his/her services a sum not to exceed \$240.00 per month, pursuant to Education Code 35120.

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. (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)

Whenever a quorum of Board members serves as another legislative body which will meet simultaneously or in serial order to a Board meeting, the Board clerk or a member of the Board shall verbally announce the amount of any additional compensation or stipend that each member will be entitled to receive as a result of convening the simultaneous or serial meeting. (Government Code 54952.3)

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/Principal or designee before the expense is incurred.

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)

The district shall pay the premiums required for Board members electing to participate in the district health and welfare benefits program to the same extent that it pays for district employees.

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.

Health and Welfare Benefits for Former Board Members

Former 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 former Board members shall be no greater than those received by district nonsafety employees with the most generous schedule of benefits. (Government Code 53208.5)

The district shall pay the premiums for health and welfare benefits of any former Board member who served in office after January 1, 1981, began his/her term before January 1, 1995, and has served for 12 or more years. (Government Code 53201)

Any other former Board member who served at least one term may participate in the health and welfare benefits program at his/her own expense if coverage is in effect at the time he/she leaves office. (Government Code 53201)

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 References

Ed. Code 33050-33053

Description

[General waiver authority](#)

Ed. Code 33362-33363

[Reimbursement of expenses; board member or member-elect](#)

Ed. Code 35012

[Board members; number, election and terms](#)

Ed. Code 35044

[Payment of traveling expenses of representatives of board](#)

Ed. Code 35120

[Course credit for student board members](#)

Ed. Code 35172

[Promotional activities](#)

Ed. Code 44038

[Cash deposits for transportation purchased on credit](#)

Fam. Code 297-297.5

[Rights, protections, benefits under the law; registered domestic partners](#)

Gov. Code 20322

[Elective officers; election to become member](#)

Gov. Code 20420-20445

[Membership in Public Employees' Retirement System; definition of safety employees](#)

Gov. Code 3543.7

[Duty to meet and negotiate in good faith](#)

Gov. Code 53200-53209

[Group insurance](#)

Gov. Code 54952.3

[Simultaneous or serial meetings; announcement of compensation](#)

Gov. Code 8314

[Use of public resources](#)

H&S Code 1373

[Health services plan, coverage for dependent children](#)

Ins. Code 10277-10278

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

Federal References

26CFR 1.403(b)-2

Description

[Tax-sheltered annuities, definition of employee](#)

26USC 403

[Tax-sheltered annuities](#)

42USC 18011

[Right to maintain existing health coverage](#)

Management Resources References

Attorney General Opinion

[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

[Public Employees' Retirement System](#)

Website

[Institute for Local Government](#)

Website

[Internal Revenue Service](#)

Website

[CSBA](#)

Cross References

Description

1160

[Political Processes](#)

3100

[Budget](#)

3100

[Budget](#)

3350

[Travel Expenses](#)

3350-E(1)

[Travel Expenses](#)

3513.1

[Cellular Phone Reimbursement](#)

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[Health And Welfare Benefits](#)

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[Terms Of Office](#)

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[Board Training](#)

9324-B

[Minutes And Recordings](#)