

Salinas Union High School District

REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS

Members of the Board of Trustees have available to them at their discretion mileage reimbursement and compensation for attendance at Board meetings as provided in Education Code Sections 35147 and 35120, provisions of which allow (1) mileage reimbursement to Board members for travel necessary to attend annual, regular, and special meetings of the Governing Board with the rate of mileage to be the same as that authorized for employee travel reimbursement, and (2) compensation for a Board member's services not to exceed four hundred dollars (\$400) per month divided by the number of meetings held in the month and multiplied by the number of meetings actually attended. (Student members excepted to compensation) Trustees may receive compensation for no more than two (2) consecutive meetings in any calendar year if the Superintendent verifies illness and ratification of payment under this provision is made by trustees through resolution.

A member may be paid for any meeting when absent if the Board by resolution duly adopted and spread upon its minutes finds that at the time of the meeting he or she is performing services outside the meeting for the District.

Board members may be reimbursed for necessary and actual expenses in attending out-of-district workshops and conferences. Board members attending out-of-district workshops and conferences shall complete the Board Workshop Report Form upon return from the conference and distribute to other members of the Board. Each fiscal year funds will be budgeted for specific CSBA Board Development as approved by the Board. (e.g. Masters of Governance, team building, curriculum)

Members of the Board who choose to be covered shall receive the same health and welfare insurance as do staff members of the Management Team who are employed 75% or more of a full-time assignment. (cf. 4344/4444-Insurance/Health and Welfare Benefits) The District shall pay the premiums required for Board members participating in the District health and welfare benefits program to the same extent that the District pays for Management Team employees. (Government Code 53201, 53208.5)

Former Board members may participate in the health and welfare benefits program provided for District employees under the conditions specified below.

Former Board members, age 55 years or over, who served in office after January 1, 1981, who began his/her term before January 1, 1995, and whose total service at the time of termination is not less than 12 years may continue to receive health and welfare insurance benefits at District cost in accordance with Government Code section 53201. District paid coverage will cease at age 65 or the death of the former Board member, whichever occurs sooner. Former Board members, after age 65, may continue to participate in the health and welfare benefits program with full premium costs to be borne by the former Board member.

Salinas Union High School District

Board Bylaws

Bylaw #9250

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The District shall not pay the costs of premiums for the health and welfare benefits of former Board members whose term began after January 1, 1995. Health and welfare benefits for former Board members shall be no greater than that received by District non-safety employees with the most generous schedule of benefits. (Government Code 53201, 53208.5) Former Board Members who have completed one or more terms in office, after January 1, 1981, but less than 12 years, and who agree to and do pay the full costs may continue to receive health and welfare insurance benefits if coverage is in effect at the time he/she leaves office. (Government Code 53201)

Legal Reference:

EDUCATION CODE

33050-33053 General waiver authority

33362-33363 Reimbursement of expenses for attendance at workshops

35012 Board members; number, election and term

35044 Payment of traveling expenses of representatives of board

35120 Compensation for services as member of governing board

35172 Promotional activities

44038 Cash deposits for transportation purchased on credit

FAMILY CODE

297-297.5 Rights, protections and benefits under law; registered domestic partners

GOVERNMENT CODE

8314 Use of public resources

20322 Elective officers; election to become member

20420-20445 Membership in Public Employees' Retirement System; definition of safety employees

53200-53209 Group insurance

54952.3 Simultaneous or serial meetings; announcement of compensation

HEALTH AND SAFETY CODE

1373 Health services plan, coverage for dependent children

INSURANCE CODE

10277-10278 Group and individual health insurance, coverage for dependent children

UNITED STATES CODE, TITLE 26

403 Tax-sheltered annuities

UNITED STATES CODE, TITLE 42

18011 Right to maintain existing health coverage

CODE OF FEDERAL REGULATIONS, TITLE 26

1.403(b)-2 Tax-sheltered annuities, definition of employee

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

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Bylaw #9250

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ATTORNEY GENERAL OPINIONS

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

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

Management Resources:

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Sample Expense and Use of Public Resources Policy Statement, January 2006

INTERNAL REVENUE SERVICE PUBLICATIONS

Tax-Sheltered Annuity Plans (403(b) Plans) for Employees of Public Schools and Certain Tax-Exempt Organizations, Publication 571, rev. February 2013

WEB SITES

CSBA: <http://www.csba.org>

Institute for Local Government: <http://www.ca-ilg.org>

Internal Revenue Service: <http://www.irs.gov>

Public Employees' Retirement System: <http://www.calpers.ca.gov>

Bylaw adopted: 11/24/81

Amended: 1/10/84

Amended: 11/12/85

Amended: 1/13/87

Amended: 2/10/87

Amended: 1/28/88

Code references revised: 3/31/89

Amended: 3/28/95

Amended: 7/13/99

Amended: 11/9/99

Amended: 8/9/05

Revised: 9/27/05