

LODI UNIFIED SCHOOL DISTRICT

REVISION

Bylaw 9250

Bylaws of the Board

Remuneration, Reimbursement, and Other Benefits

~~Remuneration~~ **Compensation**

Each member of the Board of Education may receive the maximum monthly compensation as provided for in ~~law~~ **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.

Board members are not required to accept payment for meetings attended.

~~If a~~ **Any** member **who** does not attend all Board meetings during the month, ~~he/she~~ is eligible to receive only a percentage of the monthly compensation equal to the percentage of meetings attended, unless otherwise authorized by the Board in accordance with law.

Members may be paid for meetings missed when the Board, by resolution, finds that they were performing designated ~~duties~~ **services** of the district at the time of the meeting. During any fiscal year, members also may be paid for up to two meetings when the Board, by resolution, finds that they were absent because of illness, jury duty, or due to a hardship deemed acceptable by the ~~Board~~.

Student Board representatives shall receive no compensation for meetings attended.

Reimbursement of Expenses

Board members shall be reimbursed for **actual and necessary** ~~all~~ expenses incurred **when performing authorized services for the district**. ~~in attending meetings or making trips on official district business when so authorized in advance by the Board.~~ **Board members shall also be reimbursed for travel expenses incurred when performing services directed by the Board.**

~~The rate of reimbursement shall not exceed limitations specified for district personnel.~~ **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.**

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 teachers~~ **employees** during their term of office.

Health and welfare benefits for Board members shall be no greater than that received by the district's employees with the most generous schedule of benefits, currently the health benefits schedule for district teachers is used.

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 that received by the district's employees with the most generous schedule of benefits, currently the health benefits schedule for district teachers is used.

Any ~~Retiring~~ former Board member, leaving the Board after ~~who have served~~ at least one full term of office, may participate in the health and welfare benefits program at their own expense if coverage is in effect at the time of retirement/leaving office. ~~purchase benefits available to District teachers and retirees on a self-pay basis under the conditions applicable to other District retirees.~~

Health and welfare benefits provided to a former Board member shall be extended, at their own expense and at the same level, to their spouse/registered domestic partner and eligible dependent children as specified in law and the health plan.

Legal References: EDUCATION CODE
1090 ~~Compensation for members and mileage allowance~~
33362-33363 Reimbursement of expenses, **board member or member-elect** (Department of Education and CSBA workshops)
35012 Board members; number, election and terms
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
FAMILY CODE
297-297.5 Rights, protections, benefits under the law;
Registered domestic partners
GOVERNMENT CODE
~~20361~~ 20322 Elective officers; election to become member
20420-20445 Membership in Public Retirement System;
Definition of safety employees
3543.7 Duty to meet and negotiate in good faith
53200-53209 Group insurance, especially
53200 Definitions: group insurance, local agency; health and welfare benefits, employees
54952.3 Simultaneous or serial meetings; announcement

of compensation

8314 Use of public resources

HEALTH & SAFETY CODE

1373 Health services plans; coverage for dependent children

INSURANCE CODE

10277-10278 Group and individual health insurance; coverage

for dependent children

FEDERAL REFERENCES

26 CFR 1.403(b)-2 Tax-sheltered annuities; definition of employee

26 USC 403 Tax-sheltered annuities

42 USC 18011 Right to maintain health coverage

MANAGEMENT RESOURCES

ATTORNEY GENERAL OPINIONS

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

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

COURT CASES

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

BOARD POLICY

3325 Conference/Meals/Travel Expenditures

Bylaw

adopted: 11/02/76

revised: 02/01/77

revised: 07/21/81

revised: 04/02/85

revised: 02/06/90

revised: 02/18/97

revised: 04/06/04

revised: 02/07/12 (technical revision)