

# **San Dieguito Union High School District**

## **Remuneration, Reimbursement And Other Benefits**

BB 9250

### **Board Bylaws**

#### Compensation

Each member of the Governing Board may receive a monthly compensation of \$400.

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.

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.

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.

Student Board members shall receive no compensation for meetings attended.

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.

#### 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.

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, 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.

#### 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.

The district shall pay the premiums required for Board members electing to participate in the district health and welfare benefits program.

Health and welfare benefits provided to Board members shall be extended, at his/her own expense and 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.

(Benefits paid by former Board member)

Any former Board member leaving the Board after at least one term of office 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.

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

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  
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>

(11/01 11/02) 8/13

**Board Adopted: May 9, 2019**