

BYLAWS OF THE BOARD

Remuneration, Reimbursement, and Other Benefits

Remuneration

Each member of the San Joaquin County Board of Education may receive the specified monthly compensation as provided for in law. Board members are not required to accept payment for meetings attended.

If a member of the Board does not attend all Board meetings during any 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 duly adopted and included in its minutes, finds that they were performing designated duties of the San Joaquin County Office of Education (SJCOE) at the time of the meeting, they were ill, on jury duty, or the absence was due to a hardship deemed acceptable by the Board.

Reimbursement of Expenses

Board members shall be reimbursed for actual and necessary expenses incurred when performing authorized services for SJCOE and for use of privately owned automobiles in the discharge of necessary official duties.

Expenses for travel, telephone, business meals, or other authorized purposes shall be in accordance with policies established for personnel and at the same rate of reimbursement.

Board members shall be reimbursed for travel expenses incurred when performing services directed by the Board. Out-of-state travel requires the approval of 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 interests of SJCOE; attendance at SJCOE 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 SJCOE-related business, personal use of an automobile, and personal losses and traffic violation fees incurred while on SJCOE 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

Board members may participate in the health and welfare benefits program provided for SJCOE employees. SJCOE shall pay the cost of all premiums required for Board members electing to participate in the health and welfare benefits program.

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.

Retired Board Members

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

Health and welfare benefits for former Board members shall be no greater than those received by SJCOE nonsafety employees with the most generous schedule of benefits.

SJCOE shall pay health insurance premiums for retired Board members who served in office after January 1, 1981, and who have served a total of 12 years or more. These payments shall be made to the same extent that they were being made before January 1, 1994, and under the same terms. The Board may grant the same or a lesser benefit upon retirement to current Board members, provided that they served 12 years or more on the Board, and provided that their first term began before January 1, 1995. This benefit shall not be granted to Board members whose first term of office began on or after January 1, 1995.

The insurance shall provide benefits for retired Board members up to the age at which they become eligible for Medicare/Medicaid, and subsequently shall cover only those eligible expenses not covered by Medicare, Medicaid, or other health insurance programs.

Any other members retiring from the Board after at least one term may continue the health and welfare benefits program at their own expense if coverage is in effect at the time of retirement.

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.

Retiree Benefit Lump Sum Payment

Board members who meet all of the above requirements for receiving paid retiree health benefits, may elect to waive receipt of such benefits and receive a lump sum payment in lieu of retiree benefits. Such election shall be made by written notification to the Payroll Department not less than thirty (30) days prior to the effective date of retirement. Such lump sum entitlement shall be computed pursuant to a formula approved by the Superintendent. Said formula shall be based on

the monthly cap at the date of retirement multiplied by the number of months of entitlement prior to the age of 65. This amount shall be discounted at a present value factor of 5 percent. Any election to waive future retiree benefits shall be irrevocable.

cf: 3100 Budget
4133 Travel; Reimbursement
9240 Development in Service

Legal Reference:

EDUCATION CODE

33362-33363 Reimbursement of expenses (Department of Education and CSBA workshops)

35012 Board members; number, election and term

35044 Travel expense

35120 Officers and Agents

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; definitions

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

(8/13)