ALL ITEMS FOR CONSIDERATION BY THE BOARD OF EDUCATION ARE AVAILABLE FOR PUBLIC VIEWING AT THE DISTRICT OFFICE (RECEPTIONIST’S DESK) AND AT http://www.montebello.k12.ca.us/boe_agendas_minutes

MONTEBELLO UNIFIED SCHOOL DISTRICT
REGULAR BOARD OF EDUCATION MEETING
BOARD ROOM
123 SOUTH MONTEBELLO BOULEVARD
MONTEBELLO, CALIFORNIA

JUNE 21, 2018
5:00 P.M.

Board of Education
Ms. Joanna Flores, President
Mr. Benjamin Cárdenas, Vice President
Dr. Lani Cupchoy, Clerk
Mr. Hector A. Chacon, Member
Mr. Edgar Cisneros, Member

TELECONFERENCE WITH BENJAMIN CÁRDERNAS AND EDGAR CISNEROS
LOCATION: ARIZONA BILTMORE- CONFERENCE CENTER
2400 E. MISSOURI AVE., PHOENIX, AZ 85016

Executive Cabinet
Dr. Anthony J. Martinez, Superintendent of Schools
Dr. Angel E. Gallardo, Assistant Superintendent, Human Resources
Ms. Elvira Alvarado, Interim Assistant Superintendent, Educational Services
Ms. Marlene M. Pitchford, Director, Classified Human Resources

VISION STATEMENT
• We Value - An organization culture based upon both individual strengths and relationships in which learners flourish in an environment of collaboration, freedom of expression, high expectation and relationships
• We Commit to - Continually refining our efforts to provide educational equity and high expectations for all students as we prepare them for success in college, career and beyond
• We Believe - In developing and nurturing all of our students and staff through continuously creating conditions that promote rigor, relevance and relationships through our organization

1. Call to Order/Flag Salute

2. Public Comment on Closed Session Agenda Items

3. Recess- To Closed Session

Motion: ___________________; Second: ___________________; _____ p.m.
Closed Session Agenda:

a) Closed Session under Govt. Code §54957.6 – Conference with Labor Negotiators
   Agency Designated Representative: Angel E. Gallardo, Ed.D./Adrianna Guzman
   Employee Organizations: Montebello Teachers Association
   All Unrepresented Employees
   Agency Designated Representative: Elvira Alvarado/Adrianna Guzman
   Employee Organizations: California School Employees Association
   Agency Designated Representative: Marlene M. Pitchford/Adrianna Guzman
   Employee Organization: Montebello Unified School District Police Officers Association

b) Closed Session pursuant to Government Code §54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation
   • DK1484667 v. MUSD (Claim No. MONZ-009165)
   • FX5507173 v. MUSD (Claim No. MONB-009281)
   • RF0092247 v. MUSD (Claim No. MONY-008887)
   • PE5078452 v. MUSD (Claim No. MONZ-008979)
   • PE5078452 v. MUSD (Claim No. MONZ-009029)
   • Cosio v. MUSD (Los Angeles Superior Court Case No. BC 669398)
   • Zhang v. MUSD (Los Angeles Superior Court Case No. VC066026)
   • Compromise and Release Agreement: 150906 v. MUSD (OAH Case No. 201804987)

c) Closed Session pursuant to Government Code §54956.9(d)(2) – Conference with Legal Counsel – Anticipated Litigation
   1 matter

d) Public Employment (Government Code section 54957):
   • Chief Business Officer/Assistant Superintendent, Business Services

6:00 P.M.

4. Call to Order/Flag Salute
5. Report Out - Closed Session
6. Adoption of Agenda: Regular Meeting – June 21, 2018
7. Presentation: Revenue and Expense Committee Report
   Presented by: AMSA
8. MUSD GS Bond
BOARD OF EDUCATION
REGULAR MEETING – JUNE 21, 2018

9. School Service Organizations: Discussion
   DELAC – Martha Cabral, Chair
   HSPC - Elpidio Beltran, President
   CAC - Lorena De La Torre, Chair
   MCPTA - Lisa Uyumatsu, President
   DAC – Estela Ulloa, Chair

10. Employee Organizations: Discussion
    MTA - Doug Patzkowski, President
    CSEA - Lloyd Garrison, President
    MUSD POA - David Park, President
    AMSA – Cecilia Ramirez, President

11. Los Angeles County Office of Education (LACOE): Comments

12. *Public Comment

   *Public Comment
   The Board President will recognize individuals in the audience who wish to speak to
   the Board of Education. The Laws and Policies Governing Board of Education meetings
   will be observed with respect to all such presentations.

   Prior to the beginning of the Board Meeting, those persons wishing to speak on items
   within the subject matter jurisdiction of this Board of Education are requested to register
   with the Board Secretary (Superintendent) by filling out the “Speaker Request Card”
   located at the rear of the Board Room. There is a three-minute time limit and the rules
   when addressing the Board of Education are outlined on the Speaker Request Card.

13. Discussion and Action Items


      Contract Negotiations with the Montebello Teachers Association

CONSENT AGENDA
Items under the Consent Agenda are considered to be routine and may be enacted by one motion.
However, Board members or the Superintendent may withdraw items for further discussion and/or separate
action. Should any Board member desire to consider any item separately, the Board member should so
indicate to the President of the Board of Education under “Consent Agenda.”

14. REPORTS
    Martinez          3-a  Purchase Order Report Summary No. 18(2017-2018) – motion to accept
        “               3-b  Record of Collections No. 11(2017-2018) – motion to accept
        “               3-c  Record of Collections No. 12(2017-2018) – motion to accept
        “               3-d  Warrant Report No. 11(2017-2018) - motion to approve
    Gallardo         3-e  Suspensions of Pupils - Report dated May through June 2018 - informational
15. NEW BUSINESS

Anthony J. Martinez, Ph.D., Superintendent of Schools

5-a Approval of Settlement Agreement in Zhang v. MUSD (Los Angeles Superior Court Case No. VC066026)

Elvira Alvarado, Interim Assistant Superintendent, Educational Services

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<td>7-j Approval to Enter into Agreement with Paradigm Healthcare Services, LLC, for LEA Medi-Cal Reimbursement Services</td>
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<td>7-q Approval of Agreement - CitySpan Technologies - Extended Learning Opportunity (ELO) After School Programs (K-12 school-based program sites) After School Education and Safety (*ASES), 21st Century After School Base and Supplemental Program, and After School Safety and Enrichment (ASSETs) Grants</td>
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<td>7-t Approval of Agreement Annual Renewal for Use of PCC 20118.3 Bid Award-SchoolCity Inc. Web-Based Products and Services to Help Teaching and Learning</td>
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<td>7-u Approval of Agreement with Newsela</td>
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15. **NEW BUSINESS** (continued)

**Anthony J. Martinez, Ph.D., Superintendent of Schools**

**Business Services**

8-a Approval to Renew Contract with Plan A Locations, Glendale, California for Filming and Photography Within the District

8-b Approval to Repair Pool Pump at Schurr High School (SHS)

8-c Approval to Enter into Agreement with Executive Environmental for Complete Asbestos and Lead-Based Inspection Services for the Development of the Asbestos Hazard Emergency Response Act (AHERA) for the Entire Bella Vista Elementary School Site

8-d Approval to Enter into Agreement with Titan Environmental Solutions for Complete Asbestos and Lead-Based Inspection Services for the Development of the Asbestos Hazard Emergency Response Act (AHERA) for the Entire Fremont Elementary School Site

8-e Award of Contract: Bid No. 31 (17-18) Replacement of Playground Asphalt, Grading and Re-Stripe to Suva Elementary School

8-f Award of Contract: Bid No. 32 (17-18) Replacement of Playground Asphalt, Grading and Re-Stripe to Garfield Elementary School

8-g Award of Contract: Bid No. 33 (17-18) Replacement of Playground Asphalt, Grading and Re-Stripe to Bandini Elementary School

8-h Approval to Enter into Agreement with Sky Blue Environmental, Inc. for the Abatement of Mold and Lead-Based Paint at Macy Intermediate School

8-i Approval of Expenditure for Security Cameras and Associated Equipment for Bell Gardens High School

8-j Software Subscription Services - School Loop, Inc.

8-k Use of PCC 20118 Bid Award - Information Technology Goods & Services (ConvergeOne, Inc., Formerly SIGMAnet, Inc.)

8-l Use of PCC 20118 Bid Award - Desktops, Laptops, Tablets, Servers and Storage Including Related Peripherals and Services (Dell Marketing L.P.)

8-m Use of PCC 20118 Bid Award - Information Technology Goods & Services (Carousel Industries of North America, Inc.)

8-n Approval to Enter into a Renewal Agreement with Millennium Courier Service, 2018-2019 School Year

8-o Award of Contract Renewal to Schools Services of California for Fiscal Advisory Services, 2018-2019 School Year

8-p Adoption of Resolution No.52(2017-2018) - Resolution Authorizing District to Create Measure GS Building Fund 21.1

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**Angel E. Gallardo, Ed.D., Assistant Superintendent, Human Resources**

9a - Certificated Personnel

9a-1 Certificated Employment

9a-2 Certificated Leaves of Absence

9a-3 Resignation/Release/Retirement of Certificated Employees

9a-4 Summer Employment - Certificated Personnel - 2018

9a-5 Sabbatical Leave - 2018-2019 School Year

9a-6 Approval of Agreement between Frontline Education and Montebello Unified School District

9a-7 4th Quarterly Report for 2017/18 - Williams Uniform Complaint Summary
15. **NEW BUSINESS (continued)**
   Angel E. Gallardo, Ed.D., Assistant Superintendent, Human Resources
   9b - Classified Personnel – Marlene M. Pitchford, Director
     9b-1 Classified Personnel Employment
     9b-2 Resignation/Release/Retirement of Classified Personnel
     9b-3 Non-Classified Personnel Employment
     9b-4 Classified Personnel Leaves of Absence
     9b-5 Classified Personnel Summer Employment
     9b-6 K9 Stipend
   9c - Adult Education
     9c-1 Approval of 2018-2019 School Year-Adult Education Master Course Titles
     9c-2 2018-2019 Adult Education Fees
     9c-3 Institutional Memberships

16. Approval of New Board Policy 1114 - District-Sponsored Social Media (First Reading)

17. Approval of Amendments to Board Bylaw 9250 - Remuneration, Reimbursement, and Other Benefits (First Reading)

18. Superintendent’s Reports

19. Board of Education Members – Reports or individual member items for discussion, research or future agendas

**ADJOURNMENT** - A special meeting is scheduled for Wednesday evening, June 27, 2018 at 6:00 p.m. (open session)

The next regular meeting scheduled Thursday evening, July 19, 2018, at 6:00 p.m. (open session)

Motion: __________________; Second: __________________; _____ p.m.
TO: Board of Education

FROM: Anthony J. Martinez, Ph.D., Superintendent of Schools

SUBJECT: Approval of New Board Policy 1114 - District-Sponsored Social Media (First Reading)

The Montebello Unified School District ("District") Board of Education ("Board") recognizes the value of technology, such as social media platforms, in promoting community involvement and collaboration. In support of the use of online social media, and to facilitate District programs, departments and school sites in building a more successful parent, community, student and employee network, the District proposes content guidelines and protocols for official District social media platforms to ensure the appropriate and responsible use of these resources and compliance with applicable law and Board policy.

The District presents draft Board Policy 1114 for first reading and encourages members of the community to contribute information and opinions for the Board’s consideration prior to the second reading and/or adoption. When proposing policies, which affect District students and families, the Board welcomes input from the community and will cooperate to address matters of mutual concern. The Board of Education invite the members of the public to submit their issues, concerns or suggestions regarding draft Board Policy 1114 for Board of Education consideration prior to the second reading and/or adoption.

I recommend adoption of the following motion:

That the Board of Education adopt the new Board Policy 1114 - District-Sponsored Social Media.

Approved for presentation to the Board of Education: July 19, 2018

Anthony J. Martinez, Ph.D.
Superintendent of Schools
Secretary to the Board of Education
Community Relations

DISTRICT-SPONSORED SOCIAL MEDIA

The Board of Education recognizes the value of technology such as social media platforms in promoting community involvement and collaboration. The purpose of any official district social media platform shall be to further the district's vision and mission, support student learning and staff professional development, and enhance communication with students, parents/guardians, staff, and community members. Social media refers to the means of interactions among people in which they create, share, and exchange information and ideas in virtual communities and networks such as but is not limited to, Flickr, Facebook, Instagram, Twitter, LinkedIn, YouTube, WordPress, TeacherTube, etc.

(cf. 0000 - Vision)
(cf. 0440 - District Technology Plan)
(cf. 1100 - Communication with the Public)
(cf. 1112 - Media Relations)
(cf. 6020 - Parent Involvement)
(cf. 6145.5 Student Organizations and Equal Access)

The Superintendent or designee shall develop content guidelines and protocols for official district social media platforms to ensure the appropriate and responsible use of these resources and compliance with applicable law, Board policy, and administrative regulation.

Guidelines for Content

Official district social media platforms shall be used only for their stated purposes and in a manner consistent with this policy and administrative regulation. By creating these official sites and allowing for public comment, the Board of Education does not intend to create a limited public forum or otherwise guarantee an individual's right to free speech.

(cf. 5145.2 - Freedom of Speech/Expression: Publications Code)
(cf. 6145.5 - Student Organizations and Equal Access)

The Superintendent or designee shall ensure that the limited purpose of the official district social media platforms is clearly communicated to users. Each site shall contain a statement that specifies the site's purposes along with a statement that users are expected to use the site only for those purposes. Each site shall also contain a statement that users are personally responsible for the content of their posts.

Official district social media platforms may not contain content that is obscene, libelous, or so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, violation of school rules, or substantial disruption of the school's orderly operation.

(cf. 5131 - Conduct)
Community Relations

DISTRICT-SPONSORED SOCIAL MEDIA (continued)

Staff or students who post prohibited content shall be subject to discipline in accordance with applicable law, district policy and administrative regulation.

(cf. 4040 - Employee Use of Technology)
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4119.21/4219.21/4319.21 – Code of Ethics)
(cf. 5144 - Discipline)
(cf. 5144.1/5144.2 - Suspension and Expulsion/Due Process)
(cf. 6163.4 - Student Use of Technology Resources)

Users of official district social media platforms should be aware of the public nature and accessibility of social media and that information posted may be considered a public record subject to disclosure under the California Public Records Act. The Board of Education expects users to conduct themselves in a respectful, courteous, and professional manner.

(cf. 1340 - Access to District Records)

1. Curricular Use

   a. A district employee must notify his/her supervisor if he/she plans to create an account using social media specifically for curricular purposes. In such cases, the district may monitor the social media account or use at any time without advance notice or consent.
   b. A district employee is responsible for monitoring student use of social media that has been incorporated into the curriculum in order to promote and evaluate the instructional or educational purpose and ensure compliance with the district's social media policy for students.
   c. If a district employee creates or uses an online account for educational purposes, the employee shall be required to provide their login or password for the accounts generated for educational purposes if the District reasonably believes that the online information is relevant to an investigation of alleged employee or student misconduct or violation of applicable law, Board policy or administrative regulation.

2. Communications on Social Media

   a. District employees should be mindful about maintaining appropriate professional boundaries with District students and other minor children at all times while utilizing social media.
   b. If, through social media usage a district employee becomes aware of known or suspected child abuse or neglect, a threat of harm to a minor or others, or evidence of a crime related to the district, the district employee should immediately notify the appropriate authorities and Administrator, Superintendent or designee and comply with his/her obligations under the Child Abuse and Neglect Reporting Act and other applicable law.
Community Relations

DISTRICT-SPONSORED SOCIAL MEDIA (continued)

BP 1114(c)

c. Communications through social media are not private and a district employee must not share confidential information concerning district employees, students and families. Social media may not be used to publish student information including, but not limited to, names, assignments, grades, attendance data, photographs, videos, or to her likenesses, without the permission of the students' parents or guardian.
d. District employees are responsible for their social media use and may be subject to civil liability if such use is found defamatory, harassing, discriminatory, threatening, or in violation of any applicable law, policy, or regulation. District employees may also be liable if they use confidential or copyrighted information belonging to others. All such postings are prohibited under this policy. The district shall not reimburse district employees for any errors, omissions, loss, or damage claimed or incurred due to social media use.
e. District employee use of social media within the course and scope of their employment is a privilege, and not a right. As such, employee use of social media shall be contingent upon compliance with applicable state and federal laws, and other district policies and administrative regulations.

Failure to comply with this policy may result in discipline, up to and including dismissal, in accordance with collective bargaining agreements, Board policy, Personnel Commission Rules and Regulations and state law.

Privacy

The Superintendent or designee shall ensure that the privacy rights of students, parents/guardians, staff, Board members, and other individuals are protected on official district social media platforms consistent with the law.

(cf. 5125.1 - Release of Directory Information)

Social media and networking sites and other online platforms shall not be used by district employees to transmit confidential information about students, employees, or district operations.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)

Legal Reference: (see next page)
Community Relations

DISTRICT-SPONSORED SOCIAL MEDIA (continued)  BP 1114(d)

Legal Reference:

EDUCATION CODE
32261 School safety, definitions of bullying and electronic act
35182.5 Contracts for advertising
48900 Grounds for suspension and expulsion
48907 Exercise of free expression: rules and regulations
48950 Speech and other communication
49061 Definitions, directory information
49073 Release of directory information
60048 Commercial brand names, contracts or logos

GOVERNMENT CODE
3307.5 Publishing identity of public safety officers
6250-6270 Public Records Act, especially:
6254.21 Publishing addresses and phone numbers of officials
6254.24 Definition of public safety official
34952.2 Brown Act, definition of meeting

UNITED STATES CODE, TITLE 17
101-1101 Federal copyright law

UNITED STATES CODE, TITLE 20
1232g Federal Family Educational Rights and Privacy Act

UNITED STATES CODE, TITLE 29
157 Employee rights to engage in concerted, protected activity
794 Section 503 of the Rehabilitation Act of 1973: accessibility to federal web sites

CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy

COURT DECISIONS
Page v. Lexington County School District, (2008, 4th Cir.) 531 F.3d 275

NATIONAL LABOR RELATIONS BOARD DECISIONS
18-CA-19081 Sears Holdings, December 4, 2009

Management Resources:
FACEBOOK PUBLICATIONS
Facebook for Educators Guide, 2011
WEB SITES
CSBA: http://www.csba.org
California School Public Relations Association: http://www.calspra.org
Facebook in Education: http://www.facebook.com/education
Facebook for Educators: http://facebookforeducators.org
Facebook, privacy resources: http://www.facebook.com/privacy

Policy
adopted: July 19, 2018

MONTEBELLO UNIFIED SCHOOL DISTRICT
Montebello, California

#16
TO: Board of Education

FROM: Dr. Anthony J. Martinez, Superintendent of Schools

SUBJECT: Approval of Amendments to Board Bylaw 9250 – Remuneration, Reimbursement, and Other Benefits (First Reading)

The Board Bylaws ("BB") establish the rules governing the Board, and BB 9250 sets forth the compensation and other benefits that Board members are entitled to receive for their service.

The proposed revisions to BB 9250 are intended to specify and update the amount of compensation to which each Board member is eligible to receive each month, depending on the average daily attendance in the District. The revised BB 9250 also includes a provision allowing the Board to raise the monthly compensation rate in accordance with Education Code section 3512. Additionally, the revisions clarify that consistent with existing law, the compensation amount Board members receive each month varies depending upon how many meetings they attend, including both regular and special meetings.

Approval of the proposed amendments to BB 9250 requires a majority vote of the Board members. BB 9312 provides that the process for adopting Bylaws is the same as that for adopting Board policies and Administrative Regulations. BB 9311 states that Board policies shall normally be given two readings. However, the Board may waive the second reading or require additional readings. As such, if the Board wishes to adopt the proposed revisions to BB 9250(a), two reading will be required before taking any action. Alternatively, the Board may make a determination that a second reading is unnecessary.

I recommend adoption of the following motion:

That the Board of Education approve the amendments to the attached Board Bylaw 9250 - Remuneration, Reimbursement, and Other Benefits, in order to clarify Board member compensation.

Approved for presentation to the
Board of Education: July 19, 2018

Anthony J. Martinez, Ph.D.
Superintendent of Schools
Secretary to the Board of Education
Bylaws of the Board

REMUNERATION, REIMBURSEMENT, AND OTHER BENEFITS

Remuneration

Each member of the Board of Education may receive the maximum monthly compensation as provided for in law—a monthly compensation of no more than $750.00. If the average daily attendance in the District is 25,000 or less, but, more than 10,000, then in the subsequent year each member of the Board of Education may receive a monthly compensation of no more than $400.00 (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. Any increase made pursuant to this section shall be effective upon approval by the Board. (Education Code 35120)

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

If a member does not attend all Board meetings held during the month, including both regular and special meetings, 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. (Education Code 35120

Members may be paid for meetings they missed when the Board, by resolution, finds that they were performing designated services for the district at the time of the meeting or that they were absent because of illness, jury duty, or a hardship deemed acceptable by the Board. (Education Code 35120)

Student Board members shall receive no compensation for meetings attended. (Education Code 35012)

Each member of the Montebello Unified School District Personnel Commission shall receive a compensation for his/her services the sum of $50 per meeting, not to exceed $250 for a calendar month.

Reimbursement of Expenses

Board members shall be reimbursed for traveling expenses incurred when so authorized in advance by the Board. (Education Code 35044)
REMUNERATION, REIMBURSEMENT, AND OTHER BENEFITS (continued)

Board members may use district-issued credit cards while on official district business. Under no circumstances may personal expenses be charged on district credit cards.

Health and Welfare Benefits

Board members may participate in the health and welfare benefits program provided for district employees.

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

Benefits for Retired Board Members

Any members whose first term of office began on or after January 1, 1995, and 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. (Government Code 53201)

The district 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.

Legal Reference: (see next page)
REMUNERATION, REIMBURSEMENT, AND OTHER BENEFITS (continued)

Legal Reference:

**EDUCATION CODE**
1090 Compensation for members and mileage allowance
33362 Reimbursement of expenses (Department of Education and CSBA workshops)
35012 Board members; number, election and term
35044 Payment of traveling expenses of representatives of board
35120 Compensation (services as member of Board of Education)
35172 Promotional activities
44038 Cash deposits for transportation purchased on credit

**GOVERNMENT CODE**
20322 Elective officers; election to become member
53200-53209 Group insurance, especially:
53200 Definitions: group insurance, local agency; health and welfare benefits, employees

**UNITED STATES CODE, TITLE 26**
403(b) Tax-sheltered annuities


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Bylaw
adopted: May 17, 2001
Bylaw
revised: July 19, 2018

MONTEBELLO UNIFIED SCHOOL DISTRICT
Montebello, California