

KERN COUNTY BOARD OF EDUCATION

BOARD BYLAWS

COUNTY SUPERINTENDENT'S REMUNERATION

The County Board of Education believes that the County Superintendent of Schools renders services that promote the success of students and of the educational programs of the county office of education, and that anyone occupying the position should be fairly compensated for his/her service. In accordance with law, the County Board shall fix the salary of the County Superintendent and may adopt a remuneration package that includes, but is not limited to, salary, allowances, health and welfare benefits, and other benefits as appropriate.

The Attorney General has opined that a County Board may increase or decrease the County Superintendent's salary at any point during the term for which the County Superintendent was elected, but that any salary decrease may not be retroactive. Due to the conflict recognized by the Attorney General between the California Constitution and Education Code 1207, prior to decreasing a County Superintendent's salary, the County Board should first contact legal counsel.

Any discussion and/or action take on the County Superintendent's remuneration shall take place in open session, at a regularly scheduled meeting of the County Board. (Government Code 54956)

Any changes to the County Superintendent's salary, financial remuneration, or any benefit, for any reason, may only be made upon approval of the County Board after discussion at a regularly scheduled meeting of the County Board. (Education Code 1209, Government Code 54956)

The County Superintendent shall receive reimbursement for his/her actual and necessary traveling expenses. (Education Code 1200, 1201)

Legal Reference:

EDUCATION CODE

1200-1209 Appointment, qualifications, salary and expenses of county superintendent

GOVERNMENT CODE

3511.1-3511.2 Local agency executives

53243.3-53243.4 Abuse of office

54954 Time and place of regular meetings

54957 Closed session personnel matters

CALIFORNIA CONSTITUTION

Article 9, Section 3.1 County Superintendent qualifications and salaries

COURT DECISIONS

Woodcock v. Dick, (1950) 36 Cal 2d 146

ATTORNEY GENERAL OPINIONS
61 Ops.Cal.Atty.Gen. 384 (1978)
62 Ops.Cal.Atty.Gen. 356 (1979)