

ASSEMBLY BILL

No. 164

**Introduced by Assembly Member Mendoza
(Coauthors: Assembly Members Anderson and Caballero)**

January 27, 2009

An act to add Section 35031.5 to the Education Code, relating to school districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 164, as introduced, Mendoza. School districts: compensation of district superintendents.

Existing law establishes the system of public elementary and secondary education in this state. Under that system, the governing boards of school districts throughout the state operate elementary and secondary schools and are authorized to employ various employees and officers, including a district superintendent. Existing law authorizes the governing board of a school district to elect a district superintendent, among other officers, for a term of no more than 4 years.

This bill would, commencing January 1, 2010, prohibit the governing board of a school district from entering into an employment contract with a district superintendent that contains provisions that obligate the district or school to compensate the district superintendent for work that he or she has not performed. The bill in addition would, commencing January 1, 2010, require the governing board of a school district to include in any contract for the services of a district superintendent the provision that the district superintendent shall receive no retirement, medical, dental, or other benefits that would exceed the benefits that a civil service employee of that district with a substantially similar salary would earn during an equivalent period of service.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 35031.5 is added to the Education Code,
2 to read:
3 35031.5. (a) Notwithstanding any other provision of law,
4 commencing January 1, 2010, the governing board of a school
5 district shall not enter into an employment contract with a district
6 superintendent that contains provisions that obligate the district
7 or school to compensate the district superintendent for work that
8 he or she has not performed.
9 (b) Notwithstanding any other provision of law, commencing
10 January 1, 2010, the governing board of a school district shall
11 include in any contract for the services of a district superintendent
12 a provision that the district superintendent shall receive no
13 retirement, medical, dental, or other benefits that would exceed
14 the benefits that a civil service employee of that district with a
15 substantially similar salary would earn during an equivalent period
16 of service.