

OFFICE OF THE BOARD OF EDUCATION

1011 Union Street, #940
Oakland, CA 94607

ousd.org/boe | boe@ousd.org

510.879.1940 w | 510.879.2299 f | 510.879.2300 TTY/TDD



**OAKLAND UNIFIED
SCHOOL DISTRICT**

Community Schools, Thriving Students

BOARD OF EDUCATION 2024

Benjamin "Sam" Davis, President, District 1
Sam.Davis@ousd.org

Mike Hutchinson, Vice President, District 4
Mike.Hutchinson@ousd.org

Jennifer Brouhard, District 2
Jennifer.Brouhard@ousd.org

VanCedric Williams, District 3
VanCedric.Williams@ousd.org

Jorge Lerma, District 5
Jorge.Lerma@ousd.org

Valarie Bachelor, District 6
Valarie.Bachelor@ousd.org

Clifford Thompson, District 7
Clifford.Thompson@ousd.org

Board Office Use		Legislative File Information	
File ID Number		25-0005	
Introduction Date:		1/6/2025	
Enactment Number			
Enactment Date			
By			

To: Governing Board

From: Mike Hutchinson, Vice President
Kyla Johnson Trammell, Secretary
Jenine Lindsey, General Counsel
Edgar Rakestraw, Jr., Parliamentarian

Meeting Date: January 6, 2025

Subject: 2025 Annual Organizational Meeting of the Governing Board – Increase Board Member Compensation (Part 2 of 2)

ASK OF THE BOARD

Adoption by the Governing Board of Resolution No. 2425-0201- Authorizing an Increase In Governing Board Member Compensation Within the Limits of Education Code Section 35120 (maximum of 5%).

BACKGROUND

Yearly pursuant to Governing Board Bylaw 9100, adopted pursuant to Education Code Section 35143, the Board is required to conduct an Annual Organizational Meeting. The Annual Organizational Meeting, in odd-numbered years, is held with the City of Oakland Inauguration when there are members-elect and/or re-elected members of the Board to take the Oath of Office administered by the City Clerk. The Annual Organizational Meeting in even-numbered years, when there are no Oaths of Office administered, is conducted within the District.

At the Annual Organizational Meeting of the Governing Board, the Board shall, among other responsibilities, organize itself for the conduct and exercise of its lawful responsibilities, including but not exclusively, by electing from among its membership, except student members, a President and Vice President; designating its appointed officers; authorizing signatures; adopting a schedule of Regular Meetings of the year; designating Board representatives to other entities.

Additionally, the Board at an Annual Organizational Meeting may consider whether to increase its compensation within the limits of Education Code Section 35120, i.e., a maximum of five percent (5%).

DISCUSSION

I am recommending, as part of the 2025 AOM, that the Board, adopt Agenda Item No. 25-0004, Resolution No. 2425-0201 - Authorizing An Increase in Governing Board Member Compensation within the Limits of Education Code Section 35120 (maximum of 5%), **as a cost of living increase (COL)**. Board member monthly compensation, if adopted, the fourth in the history of the District, will increase by \$43.41, from \$868.22 to \$911.63. The Board last increased its compensation on January 8, 2024.¹

FISCAL IMPACT

The fiscal impact of this recommendation, if approved, will be approximately a \$4,297.69² increase to the fixed cost of the General Fund (Budgeted). No further increase in Board member compensation, within the limits of Education Code 35120, can be made except by vote of the Board at a future Annual Organizational Meeting.

¹ [File ID 24-0004, Enactment No. 24-0005, January 8, 2024.](#)

² \$43.41 x 11 months x 9 Members including Student Directors.

RECOMMENDATION

Adoption by the Board of Education of Resolution No. 2425-0201- Authorizing an Increase In Governing Board Member Compensation Within the Limits of Education Code Section 35120 (maximum of 5%).

MH:ER:st

c: Kyla Johnson-Trammell
Jenine Lindsey
Edgar Rakestraw, Jr.

Attachments:

Resolution No. 2425-0201 - Authorizing An Increase In Governing Board Member Compensation Within the Limits of Education Code Section 35120
Education Code Section 35120

**RESOLUTION
OF THE
GOVERNING BOARD
OF THE
OAKLAND UNIFIED SCHOOL DISTRICT**

Resolution No. 2425-0201

Authorizing An Increase In Governing Board Member Compensation Within the Limits of Education Code Section 35120

WHEREAS, Governing Board of the Oakland Unified School District Bylaw 9100 adopted pursuant to Education Code Section 35143, prescribes that at the Annual Organizational Meeting of the Board of Education, the Board shall, among other responsibilities, organize itself annually for the conduct and exercise of its lawful responsibilities, including but not exclusively elect a president and vice president from its members. except student members; by said Bylaw designate its appointed officers; authorize signatures; develop a schedule of regular meetings of the year; develop a Board calendar for the year; designate Board representatives to other governmental agencies, community organizations and other entities; adopt goals and objectives for the year; and, at its option, may increase Governing Board Member compensation within the limits of Education Code Section 35120; and

WHEREAS, the Governing Board desires to consider as a separate issue whether to increase Board Member compensation within the limits of Education Code Section 35120; and

WHEREAS, pursuant to Education Code Section 35120, the base compensation of members of the Governing Board of the Oakland Unified School District is \$750.00 per month based on the District's prior year pupil average daily attendance being 60,000 or less but more than 25,000¹, unless heretofore compensation has been raised pursuant to Education Code Section 35120; and

WHEREAS, the Governing Board raised its member compensation on January 8, 2024, by 5 percent, pursuant to Education Code Section 35120, to the present compensation of \$868.22 monthly (Legislative File No. 24-0004; Enactment No. 24-0005); and

WHEREAS, Education Code Section 35120 permits a Governing Board, at its option, to annually increase the compensation of individual members in an amount not to exceed five percent (5%) based on the present monthly rate of compensation; and

¹ The District's three year average for current funding is 30,986 ADA.

WHEREAS, Board Bylaw 9100, permits the Governing Board, at its option, to consider increased member compensation, within the limits of Education Code Section 35120, only at its Annual Organizational Meeting,

NOW, THEREFORE, BE IT RESOLVED, that current Governing Board Regular Member monthly compensation shall be and hereby is increased by 5 per cent (\$43.41) from \$868.22 to \$911.63, effective immediately.

Passed by the following vote:

PREFERENTIAL AYE:

PREFERENTIAL NOE:

PREFERENTIAL ABSTENTION:

PREFERENTIAL RECUSE:

AYES:

NOES:

ABSTAINED:

RECUSED:

ABSENT:

CERTIFICATION

We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at the Annual Organizational Meeting of the Governing Board of the Oakland Unified School District held on January 6, 2025.

Legislative File	
File ID Number:	25-0005
Introduction Date:	1/6/2025
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By:	

OAKLAND UNIFIED SCHOOL DISTRICT

[Name of the President of the Board to Be Inserted]
President, Board of Education

Kyla Johnson-Trammell
Superintendent and Secretary, Board of Education

State of California

EDUCATION CODE

Section 35120

35120. (a) (1) In a school district in which the average daily attendance for the prior school year exceeded 250,000, each regular member of the governing board of the school district who attends all meetings held may receive as compensation for the regular member's services a salary as set forth by the local city charter law or applicable rules and regulations and as determined by a local compensation review committee.

(2) In a school district that is not located in a city and county, and in which the average daily attendance for the prior school year exceeded 60,000, the governing board may prescribe, as compensation for the services of each regular member of the board who attends all meetings held, a sum not to exceed one thousand five hundred dollars (\$1,500) in any month.

(3) In a school district in which the average daily attendance for the prior school year was 60,000 or less, but more than 25,000, each regular member of the city board of education or the governing board of the school district who attends all meetings held may receive as compensation for the regular member's services a sum not to exceed seven hundred fifty dollars (\$750) in any month.

(4) In a school district in which the average daily attendance for the prior school year was 25,000 or less, but more than 10,000, each regular member of the city board of education or the governing board of the school district who attends all meetings held may receive as compensation for the regular member's services a sum not to exceed four hundred dollars (\$400) in any month.

(5) In a school district in which the average daily attendance for the prior school year was 10,000 or less, but more than 1,000, each regular member of the city board of education or the governing board of the school district who attends all meetings held may receive as compensation for the regular member's services a sum not to exceed two hundred forty dollars (\$240) in any month.

(6) In a school district in which the average daily attendance for the prior school year was 1,000 or less, but more than 150, each regular member of the city board of education or the governing board of the school district who attends all meetings held may receive as compensation for the regular member's services a sum not to exceed one hundred twenty dollars (\$120) in any month.

(7) In a school district in which the average daily attendance for the prior school year was less than 150, each regular member of the city board of education or the governing board of the school district who attends all meetings held may receive as compensation for the regular member's services a sum not to exceed sixty dollars (\$60) per month.

(8) A regular member or pupil member who does not attend all meetings held in any month may receive, as compensation for the regular member's or pupil member's services, an amount not greater than the maximum amount allowed by this subdivision or paragraph (2) of subdivision (f), as applicable, divided by the number of meetings held and multiplied by the number of meetings attended.

(9) For purposes of providing compensation pursuant to paragraphs (1) to (7), inclusive, average daily attendance for the prior school year may be increased by a school district's percentage of excused absences reported for the 1996–97 fiscal year.

(b) The compensation of regular members of the governing board of a school district newly organized or reorganized shall be governed by subdivision (a). For this purpose, the total average daily attendance in all of the schools of the school district in the school year in which the organization or reorganization became effective shall be considered the average daily attendance in the school district for the prior school year.

(c) A pupil member or regular member may be paid for any meeting when absent if the board, by resolution duly adopted and included in its minutes, finds that at the time of the meeting the member is performing services outside the meeting for the school district or districts, the member was ill or on jury duty, or the absence was due to a hardship considered acceptable by the board.

(d) Compensation provided pursuant to this section shall be a charge against the funds of the school district. If the city board of education or the governing board of the school district is the governing board of more than one school district, the compensation shall be charged against and paid by the respective school districts in the same proportion as the salary of the city superintendent of schools is charged against them. Compensation shall be reduced by an amount equal to any salary or compensation paid to the members of the city board of education from any funds of the city.

(e) On an annual basis, the governing board may increase the compensation of regular members beyond the limits delineated in this section, in an amount not to exceed 5 percent based on the present monthly rate of compensation. An increase made pursuant to this subdivision shall be effective upon approval by the governing board.

(f) The governing board of a school district may award a pupil member either or both of the following:

(1) Elective course credit based on the number of equivalent daily instructional minutes for the pupil member's services provided.

(2) Monthly financial compensation as determined by the governing board.

(g) As used in this section, the following definitions apply:

(1) "Pupil member" means a pupil board member appointed pursuant to subdivision (d) of Section 35012.

(2) "Regular member" means a board member elected or selected pursuant to subdivisions (a) to (c), inclusive, of Section 35012.

(Amended by Stats. 2023, Ch. 321, Sec. 4. (AB 275) Effective January 1, 2024.)