

[Charter - Compensation of Board of Education members]

CHARTER AMENDMENT

PROPOSITION ____

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by amending Sections 8.100, 12.202, and A8.502, to increase the compensation for members of the Board of Education from a monthly stipend of \$500 to \$50,000 per year, allow members to participate in the City's employee health and pension systems, establish training and professional development requirements, and require the City annually to appropriate to the Unified School District an amount sufficient to pay the salaries and benefits of the members of the Board of Education.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 8, 2011, a proposal to amend the Charter of the City and County by amending Sections 8.100, 12.202, and A8.502, to read as follows:

Note: Additions are *single-underline italics Times New Roman*.
Deletions are ~~*strikethrough italics Times New Roman*~~.

Section 1. **Findings.**

(a) The Board of Education of the San Francisco Unified School District has a profound responsibility to create and foster the conditions in which each of the City's public school students can achieve his or her full potential. Schools are responsible not only for academic achievement, but for recreational activities, the physical and mental health of students at school, and their overall social and emotional needs. Decisions made by the Board of Education will have long-lasting effects on the future of the City. Recognizing the importance of this service, it is the intent of the voters to set high standards for the qualifications and performance of members of the Board of Education.

(b) Members of the Board should have experience with the public schools, preferably in San Francisco, as well as a strong knowledge base of educational and community issues. Members should be committed to their own professional development. They need to maintain a strong knowledge of educational and community issues, develop expertise in complex educational policy issues, advocate for schools and students, represent San Francisco public schools at all levels of government, and visit schools and community programs. The challenges faced by the City's public schools require this high level of professionalism, which in turn requires an increasing commitment of time as the role of schools in our society continues to expand.

(c) In order to attract new candidates who represent the broad spectrum of the San Francisco public school community and to retain incumbent members who are willing and able to provide this high level of professional public service, it is necessary and appropriate to raise the compensation for Board of Education members, which was set at \$500 a month in 1983 and has not been increased since then. In addition, the voters find that in order to maintain the level of professionalism required of Board of Education members, new members should be required to complete appropriate training upon their election or appointment to the Board.

Section 2. The San Francisco Charter is hereby amended by amending Sections 8.100, 12.202, and A8.502, to read as follows:

SEC. 8.100. UNIFIED SCHOOL DISTRICT.

(a) Governance. The Unified School District shall be under the control and management of a Board of Education composed of seven members who shall be elected by the voters of the Unified School District *and who shall serve full time in that capacity*. A student representative shall serve on the Board in accordance with state law. No member of this Board shall be eligible to serve on the Governing Board of the Community College District.

(b) **Salary.** Beginning July 1, 2012, the annual salary ~~The compensation~~ for each member shall be \$50,000 \$500 per month. Beginning July 1, 2013, the Controller shall annually adjust the salary amount to reflect increases in the Consumer Price Index during the prior calendar year, provided that the cost-of-living adjustment shall not exceed 5 percent for any one year. The student representative shall not be considered a member of the Board of Education for purposes of subsections (b), (c), and (d). The terms of office in effect for Board members on the date this Charter is adopted shall continue.

(c) **Benefits.** Members of the Board of Education in office on and after July 1, 2012 shall be entitled to participate in the City's Health Service System and Employees' Retirement System as provided in Sections 12.202 and A8.502, respectively, and shall be considered to serve full time for that purpose.

(d) **Training and Professional Development.** Any person elected or appointed for the first time to the Board of Education on and after July 1, 2012 must, within six months of taking office, successfully complete the California School Boards Foundation's New and First-Time Board Members Institute or equivalent training provided by the Foundation or a successor organization as designated by the California State Superintendent of Public Instruction, in order to continue receiving the annual salary provided in subsection (a). If a member of the Board of Education does not successfully complete the training within six months of first taking office, he or she shall be eligible only for a monthly stipend of \$500 until he or she has completed the training.

Each member of the Board of Education shall complete a minimum of 10 hours of professional development activities each year. The Board of Education shall compile a list of programs satisfying this requirement and offered by approved providers, which may include the Unified School District itself, organizations of which the District is a member, and accredited institutions of higher education. The Board may approve other programs and providers on a case-by-case basis. Each member of the Board shall submit to the Board an annual certification

of his or her completion of the required professional development activities, which certification shall be a public record.

(e) **City Funding.** For Fiscal Year 2012-2013 and each fiscal year thereafter, the City budget shall appropriate sufficient funds to the Unified School District to pay the salaries of the members of the Board of Education for that fiscal year, and the amount that the City would pay as employer for the health and pension benefits provided under subsection (c). This requirement shall be suspended by operation of law for the fiscal year following adoption of any parcel tax after January 1, 2011 to benefit the Unified School District. That suspension shall continue until the fiscal year following the expiration of the parcel tax. During any suspension of the City's contribution under this subsection or under subsection (f), the Unified School District shall continue to pay Board of Education members their full salary under subsection (b) and shall pay to the City the amount that the City would pay as employer for the health and pension benefits provided under subsection (c).

(f) **Expenses.** No later than March 15, 2012, the Controller shall recommend to the Board of Education policies to govern and control the reimbursement of expenses incurred by its members. The Controller may thereafter recommend amendments to those policies to the Board of Education at any time.

No later than May 1, 2013, and May 1 of every year thereafter, the Controller shall certify to the Mayor and Board of Supervisors whether the Board of Education adopted the recommended policies and any subsequent amendments within 45 days of their submittal to the Board of Education and whether the Board complied with the policies as amended during that fiscal year.

If the Controller certifies that the Board of Education did not adopt the recommended policies or any subsequent amendments within 45 days or did not comply with them during that fiscal year, the Mayor and Board of Supervisors, through the adoption of a resolution, may suspend the City's appropriation to the Unified School District under subsection (e) in whole or

in part for the upcoming fiscal year. The Mayor and Board of Supervisors, through a subsequent resolution, may modify or lift the suspension at any time prior to the end of the fiscal year to which the suspension applied. The Mayor and Board of Supervisors may not suspend the appropriation for more than one year at a time.

If a resolution suspends all or part of the City's appropriation to the Unified School District under this provision, the Mayor and Board of Supervisors may transfer the amount that would otherwise have been appropriated to the Unified School District to the Children's Fund established in Charter Section 16.108, or any successor legislation, to be used for the purposes provided in that Section.

(g) The Board of Supervisors may adopt ordinances to implement the requirements of this Section.

SEC. 12.202. MEMBERSHIP IN HEALTH SERVICE SYSTEM.

The members of the System shall consist of all officers and permanent employees of the City and County, the Unified School District, the Community College District, members of the Board of Education on and after July 1, 2012, and such other officers, employees, dependents and retirees as provided by ordinance.

SEC. A8.502. RETIREMENT OF ELECTIVE OFFICERS.

Elective officers, including members of the Board of Supervisors in office on and after July 1, 2000 and members of the Board of Education in office on and after July 1, 2012, but excepting members of all other boards and commissions and any elective officers who are members of the Public Employees' Retirement System, shall be members of the San Francisco City and County Employees' Retirement System under the miscellaneous plan in effect on the date such officer assumes office. Time during which said members have rendered service as elective officers shall be included under Subsection (g) of Section A8.509, Section A8.584-7 or

the miscellaneous plan in effect on the date such officer assumes office, in addition to other time now so included. Contributions required to provide benefits based on service rendered as an elective officer prior to the effective date of membership in the Retirement System, shall be paid to the Retirement System in a manner consistent with contributions required of miscellaneous members for temporary service as provided in this Charter and the administrative code.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
THOMAS J. OWEN
Deputy City Attorney