

Legislature Significantly Increases Statutory Ceiling on Compensation for School Board Members

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Effective January 1, 2026, the maximum monthly compensation for school board and county board of education members allowed by statute will be five times the current maximum amount. According to its author, Assembly Bill (AB) 1390 is designed to adjust compensation levels to account for inflation and the increased responsibilities of board members.

Background

The maximum amount for board member compensation is limited by statute. Boards may set their compensation level at any amount that does not exceed the statutory limit. The limits are tied to the applicable range of average daily attendance (ADA) for each school district or county office of education.

The limits for compensation have not been adjusted since 1984 for school districts and 1987 for county boards of education. In 2001, AB 214 authorized boards to increase their compensation by up to 5% annually but did not otherwise change the statutory limits.

Increase to Compensation Ceilings Under AB 1390

Effective January 1, 2026, AB 1390 will adjust maximum compensation for school district board members as follows:

School District's ADA	2025 Monthly Ceiling	AB 1390 Monthly Ceiling (Effective January 1, 2026)
1-1000	\$60 (less than 150 ADA) \$120 (151-1000 ADA)	\$600
1,001-10,000	\$240	\$1,200
10,001-25,000	\$400	\$2,000
25,001-60,000	\$750	\$3,000
60,001-250,000	\$1,500	\$4,500

As shown in the above table, AB 1390 removes the separate category for school districts under 150 ADA, combining them into the category of 1,000 or less. As a result, boards of school districts with an ADA of 150 or less are permitted to increase their monthly compensation from the current maximum of up to \$60 to the new maximum of up to \$600.

School districts with an ADA over 250,000 are not impacted by AB 1390, as their boards' compensation is set by the local city charter law or applicable rules and regulations and as determined by a local compensation review committee.

AB 1390 will adjust maximum compensation for county boards of education as follows:

Countywide ADA	Current Monthly Ceiling	AB 1390 Monthly Ceiling (Effective January 1, 2026)
<29,999 (Classes 5, 6, 7, 8)	\$160	\$800
30,000-59,999 (Class 4)	\$200	\$1,000
60,000-139,999 (Class 3)	\$300	\$1,500
140,000-749,999 (Class 2)	\$400	\$2,000
750,000 and over (Class 1)	\$600	\$3,000

As shown in the above table, ADA for the purposes of county board of education compensation is measured by ADA within the entire county, as opposed to student attendance in county office of education-run educational programs.

AB 1390 does not change existing law that generally requires board members to attend all meetings in order to receive compensation, unless the board excuses an absence. It also does not change the existing ability for boards to increase their compensation by up to 5% per year, should they choose to do so.

Takeaways

As explained above, the statutory increases to compensation set a new ceiling for board member compensation. The actual amount is determined at a local level, typically through amendment of a board bylaw setting the amount. For boards who have set their compensation at a set dollar amount (e.g., \$240), increase in the amount of compensation would require the board to follow its local procedures to amend its bylaw. This means the increase would not automatically go into effect on January 1, 2026. However, if the bylaw does not set a dollar amount and instead uses language that

tethers compensation to the maximum amount provided under the Education Code, these changes could automatically go into effect. Local educational agencies wishing to understand how changes in the legislation will impact actual compensation of their board members are encouraged to reach out to legal counsel.

If you have any questions about AB 1390 or board member compensation generally, please contact the authors of this Client News Brief or an attorney at one of our [eight offices](#) located statewide. You can also subscribe to our [podcast](#), follow us on [Facebook](#) and [LinkedIn](#), or download our [mobile app](#).

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