

Date of Hearing: April 30, 2025

ASSEMBLY COMMITTEE ON EDUCATION

Al Muratsuchi, Chair

AB 560 (Addis) – As Amended April 21, 2025

SUBJECT: Special education: Special Education Teams: resource specialists: special classes

SUMMARY: Requires the Superintendent of Public Instruction (SPI) on or before July, 1 2027, to establish a maximum recommended adult-to-student staffing ratio for special day classes for students with disabilities ages 3 to 22, and requires local educational agencies (LEAs) and charter schools to take all reasonable steps to distribute workload associated with initial assessments across all resource specialists. Specifically, **this bill:**

- 1) Requires LEAs to take all reasonable steps to distribute workload associated with initial assessments across all resource specialists employed by the LEA in an equal manner, unless otherwise collectively bargained.
- 2) Requires, on or before July 1, 2027, the SPI to establish a maximum recommended adult to student staffing ratio for special day classes for students ages 3 to 22, and post this recommendation on the California Department of Education (CDE) website.
- 3) Requires the SPI, in establishing this recommendation, to:
 - a) Consult with the following individuals:
 - i) Current credentialed education specialists teaching in a special class setting. Requires that a majority of the individuals consulted meet this requirement;
 - ii) Administrators serving at school sites, school districts, county office of education (COE), and special education local plan areas (SELPAS);
 - iii) Paraprofessionals serving in special class settings; and
 - iv) Parents of students with exceptional needs who are served in special class settings.
 - b) Consider the following:
 - i) Varying needs of students, including students with mild to moderate support needs and students with extensive support needs;
 - ii) Varying needs of students by age;
 - iii) Types of school setting, including preschool, elementary, secondary schools, and nonpublic schools;
 - iv) Existing practices among LEAs;
 - v) Other state's adult to student ratios for special classes;

- vi) Constraints such as workforce and facility needs, and conditions in small and rural LEAs; and
 - vii) Effects on education of students with disabilities in the least restrictive environment, as required by the Individuals with Disabilities Education Act.
- 4) Requires the SPI to report their recommendations to the appropriate policy and fiscal Committees of the Legislature, and the State Board of Education (SBE), by April 1, 2027.

EXISTING LAW:

- 1) In federal law, establishes the IDEA, in order to ensure that all children with disabilities have a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living, among other purposes. (20 U.S.C. Section 1400)
- 2) Requires that, in accordance with federal law, each public agency ensure the following to address the least restrictive environment for individuals with exceptional needs such that:
 - a) To the maximum extent appropriate, individuals with exceptional needs, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and
 - b) Special classes, separate schooling, or other removal of individuals with exceptional needs from the regular educational environment occurs only if the nature or severity of the disability is such that education in the regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. (20 U.S.C. Section 1412)
- 3) In federal law, the Rehabilitation Act of 1973, prohibits an individual with a disability, as defined, from, solely by reason of his or her disability, being excluded from the participation in, being denied the benefits of, or being subjected to discrimination under any program or activity receiving federal financial assistance. (29 U.S.C. Section 794)
- 4) Requires that caseloads for resource specialists be stated in local policies and in accordance with regulations established by the SBE, and prohibits a resource specialist from having a caseload that exceeds 20 students. (Education Code (EC) 56362)
- 5) Prohibits the average caseload for language, speech, and hearing specialists in SELPAs from exceeding 55 cases, unless the local plan specifies a higher average caseload and the reasons for the greater average caseload. (EC 56363.3)
- 6) Authorizes special classes that serve students with similar and more intensive educational needs. States that the special classes may enroll students only when the nature or severity of the disability of the individual with exceptional needs is such that education in the regular classes with the use of supplementary aids and services, including curriculum modification and behavioral support, cannot be achieved satisfactorily. These requirements also apply to separate schooling, or other removal of individuals with exceptional needs from the regular educational environment. (EC 56364.2)

- 7) Requires the allowable new building area for the purpose of providing special classes and resource specialist program (RSP) facilities to be negotiated and approved, with any necessary assistance to be provided by the Special Education Division of the CDE. Also requires the square footage allowances to be computed within the maximum square footage as set forth in a specified schedule. (EC 17047)

FISCAL EFFECT: This bill has been keyed a possible state-mandated local program by the Office of Legislative Counsel.

COMMENTS:

Need for the bill. According to the author “Assembly Bill 560, the Supporting California’s Special Educators Act, ensures that students with diverse learning needs receive the individualized attention they deserve, as well as fostering an environment that supports our educators. Smaller class sizes will help enhance the quality of education for students, improve educational outcomes, and reduce the strain on our educational workforce. AB 560 will have a profoundly positive impact on both special educators and the students they serve.”

Initial assessments conducted by RSP teachers. This bill requires LEAs to take all reasonable steps to distribute workload associated with initial assessments across all resource specialists employed by the LEA in an equal manner, unless otherwise collectively bargained.

Current law establishes a caseload limit of 28 students for resource specialists. Additionally, resource specialists conduct initial assessments to determine whether students qualify for special education services. As initial assessments are not included in the caseload limit under current law, the distribution of this workload is typically determined through collective bargaining. One school district’s contract, for example, entitles resource specialists to up to eight hours of additional compensation per initial assessment conducted.

Adult-to-student ratios in special day classes. This bill requires, on or before July 1, 2027, the SPI to establish a maximum recommended adult-to-student staffing ratio for special day classes for students ages 3 to 22, and post this recommendation on the CDE website.

This bill also requires the SPI to take numerous factors into consideration when making this recommendation, including the varying needs of students depending upon their support needs, their ages, and instructional settings, as well as constraints such as workforce and facility needs, and conditions in small and rural LEAs. Finally, the SPI would have to take into account the effects of this policy on the education of students in inclusive settings.

Current law authorizes school districts to place students in special day classes that serve students with similar and more intensive educational needs, only when the nature or severity of the disability of the individual with exceptional needs is such that education in the regular classes with the use of supplementary aids and services, including curriculum modification and behavioral support, cannot be achieved satisfactorily.

Unlike for grades K-3, there is no class size or adult-to-student recommended ratio for special day classes. Each LEA or SELPA sets limits through collective bargaining. For example, one SELPA’s plan lists ratios ranging from 1:10 for classes serving students with mild to moderate support needs, to 1:3 for classes serving students with extensive support needs. When certain

total enrollments are reached, the process of opening a new class is explored. For preschool special day classes, a ratio of 1:5 is required, pursuant to existing law.

Special Day Class Basic Need	Grade Levels	Loading
Specific Learning Disability	All	12
Mildly Intellectually Disabled	All	12
Severe Disorder of Language	All	10
Deaf and Hard of Hearing	All	10
Visually Impaired	All	10
Orthopedically and Other Health Impaired	All	12
Autistic	All	6
Severely Emotionally Disturbed	All	6
Severely Intellectually Disabled	Elem.	12
Developmentally Disabled	All	10
Deaf-Blind/Multi	All	5

It is unclear how many states have adult-to-student ratio requirements for special day classes, but New York state regulations establish a maximum class size of 15 students, or 12 students in a state-operated or state-supported school, with specified exceptions.

Current school facilities law establishes loading standards for special day classes.

Current law establishes, for purposes of the School Facility Program, loading standards for special day classes, as shown in the chart on this page. These standards do not govern actual enrollment in special day classes, and may or may represent appropriate class sizes for instructional purposes. ***The Committee may wish to consider*** the need to review this provision of law to ensure that it does not serve as an impediment to ensuring that students are educated in the LRE.

Arguments in support. The California Federation of Teachers writes, “The ability of our members to properly serve [students with IEPs is] often limited by underfunding, understaffing, and an overall unwillingness of our education infrastructure to treat the needs of exceptional students with the respect they deserve. We have heard countless stories of special day classes—those focusing solely on special education students—being eliminated, students with relatively severe disabilities being placed in crowded general education environments

that clearly violate IEPs, and other harmful outcomes that at best limit the ability of these students to learn and at worst jeopardize their safety.

Our members who conduct initial assessments of students who may benefit from an IEP also report that this critically important—but very time-consuming—work is often not factored into their existing work load, forcing them into the impossible position into somehow doing multiple jobs at once at the expense of their own mental and even physical health. This highly concerning state of affairs also harms the student’s right to an adequate IEP and further degrades educational quality. It also goes without saying that this situation contributes to burnout and severely complicates our ability to recruit and retain these essential workers.

AB 560 (Addis) approaches this problem by directing the California Department of Education to implement special day class size limits that would, if implemented, guarantee adequate attention to exceptional students and a reasonable workload for workers. Not only will this present a major step toward the quality of education the students deserve, it's also critically important for their safety and mental well-being."

REGISTERED SUPPORT / OPPOSITION:**Support**

California Teachers Association
California Federation of Teachers
48 individuals

Opposition

None on file

Analysis Prepared by: Tanya Lieberman / ED. / (916) 319-2087