

AB 560 Requires Equal Distribution of Initial Special Education Assessments and State Recommended Staffing Ratios for Special Education Classrooms

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Assembly Bill 560 (AB 560), which took effect January 1, 2026, requires local education agencies (LEA) to take all reasonable steps to distribute the workload associated with initial special education assessments across all resource specialists employed by the LEA in an equal manner, unless otherwise collectively bargained. Resource specialists continue to have a 28-student caseload limit under the law, which is not required to include the students for whom resource specialists must conduct initial assessments to determine eligibility for special education services.

AB 560 also requires the State Superintendent of Public Instruction (State Superintendent) to recommend a maximum adult-to-pupil staffing ratio for special education classes for students 3 to 22 years of age. The State Superintendent is required to post the recommendation to the California Department of Education's website by no later than July 1, 2027.

AB 560's intent is to improve LEA special education services by creating better learning environments for students with unique needs and reducing burnout for special education teachers with heavy caseloads. Supporters of AB 560 expressed concerns that initial assessments are time-consuming and often not factored into resource specialists' existing workload, contributing to staff burnout, potential impacts on students' rights to adequate individualized education programs (IEP), degradation of educational quality, and LEA's ability to recruit and retain resource specialists.

The State Superintendent, in making the recommendation for a maximum staffing ratio for special education classes, must consult researchers and representatives with expertise in inclusive practices and advocates focused on equity and disability rights. The State Superintendent must also consult with specified individuals, including special education teachers, administrators, chief business officials, paraprofessionals, and parents of students with exceptional needs served in the special education class settings. The individuals consulted must represent the State's geographic diversity, including, but not limited to, rural, urban, and high-need regions.

AB 560 requires the State Superintendent, in making the staffing ratio recommendation, to consider specified factors, including but not limited to, the varying needs of the students (including those with mild, moderate, or extensive support needs), the varying needs of students by age, the types of school settings (e.g., preschool, nonpublic school), existing practices among LEAs, other states' adult-to-pupil ratios for special education classes, and the

effects on the education of students with disabilities in the least restrictive environment, as required by the federal Individuals with Disabilities Education Act. For a complete list of the factors to be considered, please refer to Education Code section 56364.3 subdivision (b)(3)(A)-(I).

The State Superintendent is also required to report their recommendations for the staffing ratio to the appropriate policy and fiscal committees of the Legislature and to the State Board of Education by no later than April 1, 2027.

Takeaways

LEAs should carefully review applicable collective bargaining agreements to determine whether there is controlling language related to distributing initial assessment workloads amongst resource specialists, and whether any revision to that language is necessary or desired.

LEAs should be on the lookout leading up to July 1, 2027, for recommendations made by the State Superintendent for maximum adult-to-pupil staffing ratio for special education classes and be prepared to address the potential impacts of such recommendations. Some LEAs have expressed concern that the State Superintendent's recommendation may become a *de facto* mandate, leading to fiscal and operational strain on small and/or rural school districts with limited resources and unique circumstances.

If you have any questions about AB 560, 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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