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**HOUSE BILL NO. 2149**

Offered January 11, 2023

Prefiled January 10, 2023

*A BILL to amend and reenact § 22.1-253.13:2 of the Code of Virginia, as it is currently effective and as it shall become effective, relating to certain public elementary and secondary schools; personnel; parent liaison required.*

Patrons—Guzman, Clark, Kory, Shin and Simonds

Referred to Committee on Education

**Be it enacted by the General Assembly of Virginia:**

**1. That § 22.1-253.13:2 of the Code of Virginia, as it is currently effective and as it shall become effective, is amended and reenacted as follows:**

**§ 22.1-253.13:2. (For Expiration Date, see 2022 Acts cc. 549, 550, cl. 2) Standard 2. Instructional, administrative, and support personnel.**

A. The Board shall establish requirements for the licensing of teachers, principals, superintendents, and other professional personnel.

B. School boards shall employ licensed instructional personnel qualified in the relevant subject areas.

C. Each school board shall assign licensed instructional personnel in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, school counselors or certain other licensed individuals as set forth in subdivision H 4, and librarians, that are not greater than the following ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be assigned to the class; (ii) 24 to one in grades one, two, and three with no class being larger than 30 students; (iii) 25 to one in grades four through six with no class being larger than 35 students; and (iv) 24 to one in English classes in grades six through 12. After September 30 of any school year, anytime the number of students in a class exceeds the class size limit established by this subsection, the local school division shall notify the parent of each student in such class of such fact no later than 10 days after the date on which the class exceeded the class size limit. Such notification shall state the reason that the class size exceeds the class size limit and describe the measures that the local school division will take to reduce the class size to comply with this subsection.

Within its regulations governing special education programs, the Board shall seek to set pupil/teacher ratios for pupils with intellectual disability that do not exceed the pupil/teacher ratios for self-contained classes for pupils with specific learning disabilities.

Further, school boards shall assign instructional personnel in a manner that produces schoolwide ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in middle schools and high schools. School divisions shall provide all middle and high school teachers with one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.

D. Each local school board shall employ with state and local basic, special education, gifted, and career and technical education funds a minimum number of licensed, full-time equivalent instructional personnel for each 1,000 students in average daily membership (ADM) as set forth in the appropriation act.

E. In addition to the positions supported by basic aid and in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be provided to fund certain full-time equivalent instructional positions for each 1,000 students in grades K through 12 who are identified as needing prevention, intervention, and remediation services. State funding for prevention, intervention, and remediation programs provided pursuant to this subsection and the appropriation act may be used to support programs for educationally at-risk students as identified by the local school boards.

To provide algebra readiness intervention services required by § 22.1-253.13:1, school divisions may employ mathematics teacher specialists to provide the required algebra readiness intervention services. School divisions using the Standards of Learning Algebra Readiness Initiative funding in this manner shall only employ instructional personnel licensed by the Board of Education.

F. In addition to the positions supported by basic aid and those in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the general appropriation act, shall be provided to support (i) 18.5 full-time equivalent instructional positions in the 2020-2021 school year for each 1,000 students identified as having limited English proficiency and (ii)

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59 20 full-time equivalent instructional positions in the 2021-2022 school year and thereafter for each 1,000  
60 students identified as having limited English proficiency, which positions may include dual language  
61 teachers who provide instruction in English and in a second language.

62 To provide flexibility in the instruction of English language learners who have limited English  
63 proficiency and who are at risk of not meeting state accountability standards, school divisions may use  
64 state and local funds from the Standards of Quality Prevention, Intervention, and Remediation account to  
65 employ additional English language learner teachers or dual language teachers to provide instruction to  
66 identified limited English proficiency students. Using these funds in this manner is intended to  
67 supplement the instructional services provided in this section. School divisions using the SOQ  
68 Prevention, Intervention, and Remediation funds in this manner shall employ only instructional personnel  
69 licensed by the Board of Education.

70 G. In addition to the full-time equivalent positions required elsewhere in this section, each local  
71 school board shall employ the following reading specialists in elementary schools, one full-time in each  
72 elementary school at the discretion of the local school board. One reading specialist employed by each  
73 local school board that employs a reading specialist shall have training in the identification of and the  
74 appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a  
75 related disorder and shall serve as an advisor on dyslexia and related disorders. Such reading specialist  
76 shall have an understanding of the definition of dyslexia and a working knowledge of (i) techniques to  
77 help a student on the continuum of skills with dyslexia; (ii) dyslexia characteristics that may manifest at  
78 different ages and grade levels; (iii) the basic foundation of the keys to reading, including multisensory,  
79 explicit, systemic, and structured reading instruction; and (iv) appropriate interventions, accommodations,  
80 and assistive technology supports for students with dyslexia.

81 To provide reading intervention services required by § 22.1-253.13:1, school divisions may employ  
82 reading specialists to provide the required reading intervention services. School divisions using the Early  
83 Reading Intervention Initiative funds in this manner shall employ only instructional personnel licensed  
84 by the Board of Education.

85 H. Each local school board shall employ, at a minimum, the following full-time equivalent positions  
86 for any school that reports fall membership, according to student enrollment:

87 1. Principals in elementary schools, one half-time to 299 students, one full-time at 300 students;  
88 principals in middle schools, one full-time, to be employed on a 12-month basis; principals in high  
89 schools, one full-time, to be employed on a 12-month basis;

90 2. Assistant principals in elementary schools, one half-time at 600 students, one full-time at 900  
91 students; assistant principals in middle schools, one full-time for each 600 students; assistant principals  
92 in high schools, one full-time for each 600 students; and school divisions that employ a sufficient  
93 number of assistant principals to meet this staffing requirement may assign assistant principals to schools  
94 within the division according to the area of greatest need, regardless of whether such schools are  
95 elementary, middle, or secondary;

96 3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students;  
97 librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time  
98 at 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students,  
99 two full-time at 1,000 students. Local school divisions that employ a sufficient number of librarians to  
100 meet this staffing requirement may assign librarians to schools within the division according to the area  
101 of greatest need, regardless of whether such schools are elementary, middle, or secondary; and

102 4. School counselors, one full-time equivalent position per 325 students in grades kindergarten  
103 through 12.

104 However, in order to meet the staffing requirements set forth in this subdivision, any local school  
105 board (i) may employ, under a provisional license issued by the Department for three school years with  
106 an allowance for an additional two-year extension with the approval of the division superintendent, any  
107 professional licensed by the Board of Counseling, clinical social worker licensed by the Board of Social  
108 Work, psychologist licensed by the Board of Psychology, or other licensed counseling professional with  
109 appropriate experience and training, provided that any such individual makes progress toward completing  
110 the requirements for full licensure as a school counselor during such period of employment or (ii) in the  
111 event that the school board does not receive any application from a licensed school counselor,  
112 professional counselor, clinical social worker, or psychologist or another licensed counseling professional  
113 with appropriate experience and training to fill a school counselor vacancy in the school division, may  
114 enter into an annual contract with another entity for the provision of school counseling services by a  
115 licensed professional counselor, clinical social worker, or psychologist or another licensed counseling  
116 professional with appropriate experience and training. Local school boards that employ a sufficient  
117 number of individuals to meet the staffing requirements set forth in this subdivision may assign such  
118 individuals to schools within the division according to the area of greatest need, regardless of whether  
119 such schools are elementary, middle, or high schools.

120 I. Local school boards shall employ five full-time equivalent positions per 1,000 students in grades

kindergarten through five to serve as elementary resource teachers in art, music, and physical education.

J. Local school boards shall employ two full-time equivalent positions per 1,000 students in grades kindergarten through 12, one to provide technology support and one to serve as an instructional technology resource teacher.

To provide flexibility, school divisions may use the state and local funds for instructional technology resource teachers to employ a data coordinator position, an instructional technology resource teacher position, or a data coordinator/instructional resource teacher blended position. The data coordinator position is intended to serve as a resource to principals and classroom teachers in the area of data analysis and interpretation for instructional and school improvement purposes, as well as for overall data management and administration of state assessments. School divisions using these funds in this manner shall employ only instructional personnel licensed by the Board of Education.

K. Local school boards may employ additional positions that exceed these minimal staffing requirements. These additional positions may include, but are not limited to, those funded through the state's incentive and categorical programs as set forth in the appropriation act.

L. A combined school, such as kindergarten through 12, shall meet at all grade levels the staffing requirements for the highest grade level in that school; this requirement shall apply to all staff, except for school counselors or certain other licensed individuals as set forth in subdivision H 4, and shall be based on the school's total enrollment. The Board of Education may grant waivers from these staffing levels upon request from local school boards seeking to implement experimental or innovative programs that are not consistent with these staffing levels.

M. School boards shall, however, annually, on or before December 31, report to the public (i) the actual pupil/teacher ratios in elementary school classrooms in the local school division by school for the current school year; and (ii) the actual pupil/teacher ratios in middle school and high school in the local school division by school for the current school year. Actual pupil/teacher ratios shall include only the teachers who teach the grade and class on a full-time basis and shall exclude resource personnel. School boards shall report pupil/teacher ratios that include resource teachers in the same annual report. Any classes funded through the voluntary kindergarten through third grade class size reduction program shall be identified as such classes. Any classes having waivers to exceed the requirements of this subsection shall also be identified. Schools shall be identified; however, the data shall be compiled in a manner to ensure the confidentiality of all teacher and pupil identities.

N. Students enrolled in a public school on a less than full-time basis shall be counted in ADM in the relevant school division. Students who are either (i) enrolled in a nonpublic school or (ii) receiving home instruction pursuant to § 22.1-254.1, and who are enrolled in public school on a less than full-time basis in any mathematics, science, English, history, social science, career and technical education, fine arts, foreign language, or health education or physical education course shall be counted in the ADM in the relevant school division on a pro rata basis as provided in the appropriation act. Each such course enrollment by such students shall be counted as 0.25 in the ADM; however, no such nonpublic or home school student shall be counted as more than one-half a student for purposes of such pro rata calculation. Such calculation shall not include enrollments of such students in any other public school courses.

O. Each school board shall provide at least three specialized student support positions per 1,000 students. For purposes of this subsection, specialized student support positions include school social workers, school psychologists, school nurses, licensed behavior analysts, licensed assistant behavior analysts, and other licensed health and behavioral positions, which may either be employed by the school board or provided through contracted services.

P. Each local school board shall provide those support services that are necessary for the efficient and cost-effective operation and maintenance of its public schools.

For the purposes of this title, unless the context otherwise requires, "support services positions" shall include the following:

1. Executive policy and leadership positions, including school board members, superintendents and assistant superintendents;

2. Fiscal and human resources positions, including fiscal and audit operations;

3. Student support positions, including (i) social work administrative positions not included in subsection O; (ii) school counselor administrative positions not included in subdivision H 4; (iii) homebound administrative positions supporting instruction; (iv) attendance support positions related to truancy and dropout prevention; and (v) health and behavioral administrative positions not included in subsection O;

4. Instructional personnel support, including professional development positions and library and media positions not included in subdivision H 3;

5. Technology professional positions not included in subsection J;

6. Operation and maintenance positions, including facilities; pupil transportation positions; operation

and maintenance professional and service positions; and security service, trade, and laborer positions;

7. Technical and clerical positions for fiscal and human resources, student support, instructional personnel support, operation and maintenance, administration, and technology; and

8. School-based clerical personnel in elementary schools; part-time to 299 students, one full-time at 300 students; clerical personnel in middle schools; one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in high schools; one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students. Local school divisions that employ a sufficient number of school-based clerical personnel to meet this staffing requirement may assign the clerical personnel to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary.

Pursuant to the appropriation act, support services shall be funded from basic school aid.

School divisions may use the state and local funds for support services to provide additional instructional services.

*Q. In any public elementary or secondary school in which at least 20 percent of enrolled students are identified as members of a single racial or ethnic group that constitutes a minority of the total population of the United States, in accordance with categories and statistics maintained by the United States Bureau of the Census, and as set forth in the data collected and submitted pursuant to the Virginia Student Record Collection in order to comply with relevant federal law, the local school board shall employ at least one full-time parent liaison who is also a member of such racial or ethnic group per the first 200 students who are identified as members of such group and at least one such additional full-time parent liaison per each additional 300 students who are identified as members of such group beyond the first 200 such students. Each such parent liaison shall serve as a liaison between the guardians of such students and the school principal and staff. Each such parent liaison shall provide guardians, particularly of minority students, with a variety of information about school programs, requirements, resources, events, and activities and shall perform related work as required. These positions shall be included in the Standards of Quality but shall not be considered support services positions and shall be funded by the Commonwealth at a rate equivalent to the school division's prevailing average secondary teacher cost.*

R. Notwithstanding the provisions of this section, when determining the assignment of instructional and other licensed personnel in subsections C through J, a local school board shall not be required to include full-time students of approved virtual school programs.

**§ 22.1-253.13:2. (For Effective Date, see 2022 Acts cc. 549, 550, cl. 2) Standard 2. Instructional, administrative, and support personnel.**

A. The Board shall establish requirements for the licensing of teachers, principals, superintendents, and other professional personnel.

B. School boards shall employ licensed instructional personnel qualified in the relevant subject areas.

C. Each school board shall assign licensed instructional personnel in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, school counselors or certain other licensed individuals as set forth in subdivision H 4, and librarians, that are not greater than the following ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be assigned to the class; (ii) 24 to one in grades one, two, and three with no class being larger than 30 students; (iii) 25 to one in grades four through six with no class being larger than 35 students; and (iv) 24 to one in English classes in grades six through 12. After September 30 of any school year, anytime the number of students in a class exceeds the class size limit established by this subsection, the local school division shall notify the parent of each student in such class of such fact no later than 10 days after the date on which the class exceeded the class size limit. Such notification shall state the reason that the class size exceeds the class size limit and describe the measures that the local school division will take to reduce the class size to comply with this subsection.

Within its regulations governing special education programs, the Board shall seek to set pupil/teacher ratios for pupils with intellectual disability that do not exceed the pupil/teacher ratios for self-contained classes for pupils with specific learning disabilities.

Further, school boards shall assign instructional personnel in a manner that produces schoolwide ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in middle schools and high schools. School divisions shall provide all middle and high school teachers with one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.

D. Each local school board shall employ with state and local basic, special education, gifted, and career and technical education funds a minimum number of licensed, full-time equivalent instructional personnel for each 1,000 students in average daily membership (ADM) as set forth in the appropriation act.

E. In addition to the positions supported by basic aid and in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be provided to fund certain full-time equivalent instructional positions for each 1,000 students in grades K through 12 who are identified as needing prevention, intervention, and remediation services. State funding for prevention, intervention, and remediation programs provided pursuant to this subsection and the appropriation act may be used to support programs for educationally at-risk students as identified by the local school boards.

To provide algebra readiness intervention services required by § 22.1-253.13:1, school divisions may employ mathematics teacher specialists to provide the required algebra readiness intervention services. School divisions using the Standards of Learning Algebra Readiness Initiative funding in this manner shall only employ instructional personnel licensed by the Board of Education.

F. In addition to the positions supported by basic aid and those in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the general appropriation act, shall be provided to support (i) 18.5 full-time equivalent instructional positions in the 2020-2021 school year for each 1,000 students identified as having limited English proficiency and (ii) 20 full-time equivalent instructional positions in the 2021-2022 school year and thereafter for each 1,000 students identified as having limited English proficiency, which positions may include dual language teachers who provide instruction in English and in a second language.

To provide flexibility in the instruction of English language learners who have limited English proficiency and who are at risk of not meeting state accountability standards, school divisions may use state and local funds from the Standards of Quality Prevention, Intervention, and Remediation account to employ additional English language learner teachers or dual language teachers to provide instruction to identified limited English proficiency students. Using these funds in this manner is intended to supplement the instructional services provided in this section. School divisions using the SOQ Prevention, Intervention, and Remediation funds in this manner shall employ only instructional personnel licensed by the Board of Education.

G. In addition to the full-time equivalent positions required elsewhere in this section, each local school board shall employ one reading specialist for each 550 students in kindergarten through grade three. Each such reading specialist shall have training in science-based reading research and evidence-based literacy instruction practices. In addition, each such reading specialist shall have training in the identification of and the appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a related disorder and shall serve as an advisor on dyslexia and related disorders. Such reading specialist shall have an understanding of the definition of dyslexia and a working knowledge of (i) techniques to help a student on the continuum of skills with dyslexia; (ii) dyslexia characteristics that may manifest at different ages and grade levels; (iii) the basic foundation of the keys to reading, including multisensory, explicit, systemic, and structured reading instruction; and (iv) appropriate interventions, accommodations, and assistive technology supports for students with dyslexia.

To provide reading intervention services required by § 22.1-253.13:1, school divisions may employ reading specialists to provide the required reading intervention services. School divisions using the Early Reading Intervention Initiative funds in this manner shall employ only instructional personnel licensed by the Board of Education.

H. Each local school board shall employ, at a minimum, the following full-time equivalent positions for any school that reports fall membership, according to student enrollment:

1. Principals in elementary schools, one half-time to 299 students, one full-time at 300 students; principals in middle schools, one full-time, to be employed on a 12-month basis; principals in high schools, one full-time, to be employed on a 12-month basis;

2. Assistant principals in elementary schools, one half-time at 600 students, one full-time at 900 students; assistant principals in middle schools, one full-time for each 600 students; assistant principals in high schools, one full-time for each 600 students; and school divisions that employ a sufficient number of assistant principals to meet this staffing requirement may assign assistant principals to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary;

3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students; librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time at 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students, two full-time at 1,000 students. Local school divisions that employ a sufficient number of librarians to meet this staffing requirement may assign librarians to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary; and

4. School counselors, one full-time equivalent position per 325 students in grades kindergarten through 12.

305 However, in order to meet the staffing requirements set forth in this subdivision, any local school  
306 board (i) may employ, under a provisional license issued by the Department for three school years with  
307 an allowance for an additional two-year extension with the approval of the division superintendent, any  
308 professional counselor licensed by the Board of Counseling, clinical social worker licensed by the Board  
309 of Social Work, psychologist licensed by the Board of Psychology, or other licensed counseling  
310 professional with appropriate experience and training, provided that any such individual makes progress  
311 toward completing the requirements for full licensure as a school counselor during such period of  
312 employment or (ii) in the event that the school board does not receive any application from a licensed  
313 school counselor, professional counselor, clinical social worker, or psychologist or another licensed  
314 counseling professional with appropriate experience and training to fill a school counselor vacancy in the  
315 school division, may enter into an annual contract with another entity for the provision of school  
316 counseling services by a licensed professional counselor, clinical social worker, or psychologist or  
317 another licensed counseling professional with appropriate experience and training. Local school boards  
318 that employ a sufficient number of individuals to meet the staffing requirements set forth in this  
319 subdivision may assign such individuals to schools within the division according to the area of greatest  
320 need, regardless of whether such schools are elementary, middle, or high schools.

321 I. Local school boards shall employ five full-time equivalent positions per 1,000 students in grades  
322 kindergarten through five to serve as elementary resource teachers in art, music, and physical education.

323 J. Local school boards shall employ two full-time equivalent positions per 1,000 students in grades  
324 kindergarten through 12, one to provide technology support and one to serve as an instructional  
325 technology resource teacher.

326 To provide flexibility, school divisions may use the state and local funds for instructional technology  
327 resource teachers to employ a data coordinator position, an instructional technology resource teacher  
328 position, or a data coordinator/instructional resource teacher blended position. The data coordinator  
329 position is intended to serve as a resource to principals and classroom teachers in the area of data  
330 analysis and interpretation for instructional and school improvement purposes, as well as for overall data  
331 management and administration of state assessments. School divisions using these funds in this manner  
332 shall employ only instructional personnel licensed by the Board of Education.

333 K. Local school boards may employ additional positions that exceed these minimal staffing  
334 requirements. These additional positions may include, but are not limited to, those funded through the  
335 state's incentive and categorical programs as set forth in the appropriation act.

336 L. A combined school, such as kindergarten through 12, shall meet at all grade levels the staffing  
337 requirements for the highest grade level in that school; this requirement shall apply to all staff, except  
338 for school counselors or certain other licensed individuals as set forth in subdivision H 4, and shall be  
339 based on the school's total enrollment. The Board of Education may grant waivers from these staffing  
340 levels upon request from local school boards seeking to implement experimental or innovative programs  
341 that are not consistent with these staffing levels.

342 M. School boards shall, however, annually, on or before December 31, report to the public (i) the  
343 actual pupil/teacher ratios in elementary school classrooms in the local school division by school for the  
344 current school year; and (ii) the actual pupil/teacher ratios in middle school and high school in the local  
345 school division by school for the current school year. Actual pupil/teacher ratios shall include only the  
346 teachers who teach the grade and class on a full-time basis and shall exclude resource personnel. School  
347 boards shall report pupil/teacher ratios that include resource teachers in the same annual report. Any  
348 classes funded through the voluntary kindergarten through third grade class size reduction program shall  
349 be identified as such classes. Any classes having waivers to exceed the requirements of this subsection  
350 shall also be identified. Schools shall be identified; however, the data shall be compiled in a manner to  
351 ensure the confidentiality of all teacher and pupil identities.

352 N. Students enrolled in a public school on a less than full-time basis shall be counted in ADM in the  
353 relevant school division. Students who are either (i) enrolled in a nonpublic school or (ii) receiving  
354 home instruction pursuant to § 22.1-254.1, and who are enrolled in public school on a less than full-time  
355 basis in any mathematics, science, English, history, social science, career and technical education, fine  
356 arts, foreign language, or health education or physical education course shall be counted in the ADM in  
357 the relevant school division on a pro rata basis as provided in the appropriation act. Each such course  
358 enrollment by such students shall be counted as 0.25 in the ADM; however, no such nonpublic or home  
359 school student shall be counted as more than one-half a student for purposes of such pro rata  
360 calculation. Such calculation shall not include enrollments of such students in any other public school  
361 courses.

362 O. Each school board shall provide at least three specialized student support positions per 1,000  
363 students. For purposes of this subsection, specialized student support positions include school social  
364 workers, school psychologists, school nurses, licensed behavior analysts, licensed assistant behavior  
365 analysts, and other licensed health and behavioral positions, which may either be employed by the  
366 school board or provided through contracted services.

P. Each local school board shall provide those support services that are necessary for the efficient and cost-effective operation and maintenance of its public schools.

For the purposes of this title, unless the context otherwise requires, "support services positions" shall include the following:

1. Executive policy and leadership positions, including school board members, superintendents and assistant superintendents;

2. Fiscal and human resources positions, including fiscal and audit operations;

3. Student support positions, including (i) social work administrative positions not included in subsection O; (ii) school counselor administrative positions not included in subdivision H 4; (iii) homebound administrative positions supporting instruction; (iv) attendance support positions related to truancy and dropout prevention; and (v) health and behavioral administrative positions not included in subsection O;

4. Instructional personnel support, including professional development positions and library and media positions not included in subdivision H 3;

5. Technology professional positions not included in subsection J;

6. Operation and maintenance positions, including facilities; pupil transportation positions; operation and maintenance professional and service positions; and security service, trade, and laborer positions;

7. Technical and clerical positions for fiscal and human resources, student support, instructional personnel support, operation and maintenance, administration, and technology; and

8. School-based clerical personnel in elementary schools; part-time to 299 students, one full-time at 300 students; clerical personnel in middle schools; one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in high schools; one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students. Local school divisions that employ a sufficient number of school-based clerical personnel to meet this staffing requirement may assign the clerical personnel to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary.

Pursuant to the appropriation act, support services shall be funded from basic school aid.

School divisions may use the state and local funds for support services to provide additional instructional services.

*Q. In any public elementary or secondary school in which at least 20 percent of enrolled students are identified as members of a single racial or ethnic group that constitutes a minority of the total population of the United States, in accordance with categories and statistics maintained by the United States Bureau of the Census, and as set forth in the data collected and submitted pursuant to the Virginia Student Record Collection in order to comply with relevant federal law, the local school board shall employ at least one full-time parent liaison who is also a member of such racial or ethnic group per the first 200 students who are identified as members of such group and at least one such additional full-time parent liaison per each additional 300 students who are identified as members of such group beyond the first 200 such students. Each such parent liaison shall serve as a liaison between the guardians of such students and the school principal and staff. Each such parent liaison shall provide guardians, particularly of minority students, with a variety of information about school programs, requirements, resources, events, and activities and shall perform related work as required. These positions shall be included in the Standards of Quality but shall not be considered support services positions and shall be funded by the Commonwealth at a rate equivalent to the school division's prevailing average secondary teacher cost.*

R. Notwithstanding the provisions of this section, when determining the assignment of instructional and other licensed personnel in subsections C through J, a local school board shall not be required to include full-time students of approved virtual school programs.

**§ 22.1-253.13:2. (Effective pursuant to Va. Const., Art. IV, § 13; for Expiration Date, see Acts 2022, cc. 549, 550, cl. 2) Standard 2. Instructional, administrative, and support personnel.**

A. The Board shall establish requirements for the licensing of teachers, principals, superintendents, and other professional personnel.

B. School boards shall employ licensed instructional personnel qualified in the relevant subject areas.

C. Each school board shall assign licensed instructional personnel in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, school counselors or certain other licensed individuals as set forth in subdivision H 4, and librarians, that are not greater than the following ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be assigned to the class; (ii) 24 to one in grades one, two, and three with no class being larger than 30 students; (iii) 25 to one in grades four through six with no class being larger than 35 students; and (iv)

24 to one in English classes in grades six through 12. After September 30 of any school year, anytime the number of students in a class exceeds the class size limit established by this subsection, the local school division shall notify the parent of each student in such class of such fact no later than 10 days after the date on which the class exceeded the class size limit. Such notification shall state the reason that the class size exceeds the class size limit and describe the measures that the local school division will take to reduce the class size to comply with this subsection.

Within its regulations governing special education programs, the Board shall seek to set pupil/teacher ratios for pupils with intellectual disability that do not exceed the pupil/teacher ratios for self-contained classes for pupils with specific learning disabilities.

Further, school boards shall assign instructional personnel in a manner that produces schoolwide ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in middle schools and high schools. School divisions shall provide all middle and high school teachers with one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.

D. Each local school board shall employ with state and local basic, special education, gifted, and career and technical education funds a minimum number of licensed, full-time equivalent instructional personnel for each 1,000 students in average daily membership (ADM) as set forth in the appropriation act.

E. In addition to the positions supported by basic aid and in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be provided to fund certain full-time equivalent instructional positions for each 1,000 students in grades K through 12 who are identified as needing prevention, intervention, and remediation services. State funding for prevention, intervention, and remediation programs provided pursuant to this subsection and the appropriation act may be used to support programs for educationally at-risk students as identified by the local school boards.

To provide algebra readiness intervention services required by § 22.1-253.13:1, school divisions may employ mathematics teacher specialists to provide the required algebra readiness intervention services. School divisions using the Standards of Learning Algebra Readiness Initiative funding in this manner shall only employ instructional personnel licensed by the Board of Education.

F. In addition to the positions supported by basic aid and those in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the general appropriation act, shall be provided to support (i) 18.5 full-time equivalent instructional positions in the 2020-2021 school year for each 1,000 students identified as having limited English proficiency and (ii) 20 full-time equivalent instructional positions in the 2021-2022 school year and thereafter for each 1,000 students identified as having limited English proficiency, which positions may include dual language teachers who provide instruction in English and in a second language.

To provide flexibility in the instruction of English language learners who have limited English proficiency and who are at risk of not meeting state accountability standards, school divisions may use state and local funds from the Standards of Quality Prevention, Intervention, and Remediation account to employ additional English language learner teachers or dual language teachers to provide instruction to identified limited English proficiency students. Using these funds in this manner is intended to supplement the instructional services provided in this section. School divisions using the SOQ Prevention, Intervention, and Remediation funds in this manner shall employ only instructional personnel licensed by the Board of Education.

G. In addition to the full-time equivalent positions required elsewhere in this section, each local school board shall employ the following reading specialists in elementary schools, one full-time in each elementary school at the discretion of the local school board. One reading specialist employed by each local school board that employs a reading specialist shall have training in the identification of and the appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a related disorder and shall serve as an advisor on dyslexia and related disorders. Such reading specialist shall have an understanding of the definition of dyslexia and a working knowledge of (i) techniques to help a student on the continuum of skills with dyslexia; (ii) dyslexia characteristics that may manifest at different ages and grade levels; (iii) the basic foundation of the keys to reading, including multisensory, explicit, systemic, and structured reading instruction; and (iv) appropriate interventions, accommodations, and assistive technology supports for students with dyslexia.

To provide reading intervention services required by § 22.1-253.13:1, school divisions may employ reading specialists to provide the required reading intervention services. School divisions using the Early Reading Intervention Initiative funds in this manner shall employ only instructional personnel licensed by the Board of Education.

H. Each local school board shall employ, at a minimum, the following full-time equivalent positions for any school that reports fall membership, according to student enrollment:

1. Principals, one full-time in each elementary school, middle school, and high school, to be employed on a 12-month basis;



2. Assistant principals in elementary schools, one half-time at 600 students, one full-time at 900 students; assistant principals in middle schools, one full-time for each 600 students; assistant principals in high schools, one full-time for each 600 students; and school divisions that employ a sufficient number of assistant principals to meet this staffing requirement may assign assistant principals to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary;

3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students; librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time at 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students, two full-time at 1,000 students. Local school divisions that employ a sufficient number of librarians to meet this staffing requirement may assign librarians to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary; and

4. School counselors, one full-time equivalent position per 325 students in grades kindergarten through 12.

However, in order to meet the staffing requirements set forth in this subdivision, any local school board (i) may employ, under a provisional license issued by the Department for three school years with an allowance for an additional two-year extension with the approval of the division superintendent, any professional counselor licensed by the Board of Counseling, clinical social worker licensed by the Board of Social Work, psychologist licensed by the Board of Psychology, or other licensed counseling professional with appropriate experience and training, provided that any such individual makes progress toward completing the requirements for full licensure as a school counselor during such period of employment or (ii) in the event that the school board does not receive any application from a licensed school counselor, professional counselor, clinical social worker, or psychologist or another licensed counseling professional with appropriate experience and training to fill a school counselor vacancy in the school division, may enter into an annual contract with another entity for the provision of school counseling services by a licensed professional counselor, clinical social worker, or psychologist or another licensed counseling professional with appropriate experience and training. Local school boards that employ a sufficient number of individuals to meet the staffing requirements set forth in this subdivision may assign such individuals to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or high schools.

I. Local school boards shall employ five full-time equivalent positions per 1,000 students in grades kindergarten through five to serve as elementary resource teachers in art, music, and physical education.

J. Local school boards shall employ two full-time equivalent positions per 1,000 students in grades kindergarten through 12, one to provide technology support and one to serve as an instructional technology resource teacher.

To provide flexibility, school divisions may use the state and local funds for instructional technology resource teachers to employ a data coordinator position, an instructional technology resource teacher position, or a data coordinator/instructional resource teacher blended position. The data coordinator position is intended to serve as a resource to principals and classroom teachers in the area of data analysis and interpretation for instructional and school improvement purposes, as well as for overall data management and administration of state assessments. School divisions using these funds in this manner shall employ only instructional personnel licensed by the Board of Education.

K. Local school boards may employ additional positions that exceed these minimal staffing requirements. These additional positions may include, but are not limited to, those funded through the state's incentive and categorical programs as set forth in the appropriation act.

L. A combined school, such as kindergarten through 12, shall meet at all grade levels the staffing requirements for the highest grade level in that school; this requirement shall apply to all staff, except for school counselors or certain other licensed individuals as set forth in subdivision H 4, and shall be based on the school's total enrollment. The Board of Education may grant waivers from these staffing levels upon request from local school boards seeking to implement experimental or innovative programs that are not consistent with these staffing levels.

M. School boards shall, however, annually, on or before December 31, report to the public (i) the actual pupil/teacher ratios in elementary school classrooms in the local school division by school for the current school year; and (ii) the actual pupil/teacher ratios in middle school and high school in the local school division by school for the current school year. Actual pupil/teacher ratios shall include only the teachers who teach the grade and class on a full-time basis and shall exclude resource personnel. School boards shall report pupil/teacher ratios that include resource teachers in the same annual report. Any classes funded through the voluntary kindergarten through third grade class size reduction program shall be identified as such classes. Any classes having waivers to exceed the requirements of this subsection shall also be identified. Schools shall be identified; however, the data shall be compiled in a manner to ensure the confidentiality of all teacher and pupil identities.

551 N. Students enrolled in a public school on a less than full-time basis shall be counted in ADM in the  
552 relevant school division. Students who are either (i) enrolled in a nonpublic school or (ii) receiving  
553 home instruction pursuant to § 22.1-254.1, and who are enrolled in public school on a less than full-time  
554 basis in any mathematics, science, English, history, social science, career and technical education, fine  
555 arts, foreign language, or health education or physical education course shall be counted in the ADM in  
556 the relevant school division on a pro rata basis as provided in the appropriation act. Each such course  
557 enrollment by such students shall be counted as 0.25 in the ADM; however, no such nonpublic or home  
558 school student shall be counted as more than one-half a student for purposes of such pro rata  
559 calculation. Such calculation shall not include enrollments of such students in any other public school  
560 courses.

561 O. Each school board shall provide at least three specialized student support positions per 1,000  
562 students. For purposes of this subsection, specialized student support positions include school social  
563 workers, school psychologists, school nurses, licensed behavior analysts, licensed assistant behavior  
564 analysts, and other licensed health and behavioral positions, which may either be employed by the  
565 school board or provided through contracted services.

566 P. Each local school board shall provide those support services that are necessary for the efficient  
567 and cost-effective operation and maintenance of its public schools.

568 For the purposes of this title, unless the context otherwise requires, "support services positions" shall  
569 include the following:

570 1. Executive policy and leadership positions, including school board members, superintendents and  
571 assistant superintendents;

572 2. Fiscal and human resources positions, including fiscal and audit operations;

573 3. Student support positions, including (i) social work administrative positions not included in  
574 subsection O; (ii) school counselor administrative positions not included in subdivision H 4; (iii)  
575 homebound administrative positions supporting instruction; (iv) attendance support positions related to  
576 truancy and dropout prevention; and (v) health and behavioral administrative positions not included in  
577 subsection O;

578 4. Instructional personnel support, including professional development positions and library and  
579 media positions not included in subdivision H 3;

580 5. Technology professional positions not included in subsection J;

581 6. Operation and maintenance positions, including facilities; pupil transportation positions; operation  
582 and maintenance professional and service positions; and security service, trade, and laborer positions;

583 7. Technical and clerical positions for fiscal and human resources, student support, instructional  
584 personnel support, operation and maintenance, administration, and technology; and

585 8. School-based clerical personnel in elementary schools; part-time to 299 students, one full-time at  
586 300 students; clerical personnel in middle schools; one full-time and one additional full-time for each  
587 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in  
588 high schools; one full-time and one additional full-time for each 600 students beyond 200 students and  
589 one full-time for the library at 750 students. Local school divisions that employ a sufficient number of  
590 school-based clerical personnel to meet this staffing requirement may assign the clerical personnel to  
591 schools within the division according to the area of greatest need, regardless of whether such schools are  
592 elementary, middle, or secondary.

593 Pursuant to the appropriation act, support services shall be funded from basic school aid.

594 School divisions may use the state and local funds for support services to provide additional  
595 instructional services.

596 Q. *In any public elementary or secondary school in which at least 20 percent of enrolled students*  
597 *are identified as members of a single racial or ethnic group that constitutes a minority of the total*  
598 *population of the United States, in accordance with categories and statistics maintained by the United*  
599 *States Bureau of the Census, and as set forth in the data collected and submitted pursuant to the*  
600 *Virginia Student Record Collection in order to comply with relevant federal law, the local school board*  
601 *shall employ at least one full-time parent liaison who is also a member of such racial or ethnic group*  
602 *per the first 200 students who are identified as members of such group and at least one such additional*  
603 *full-time parent liaison per each additional 300 students who are identified as members of such group*  
604 *beyond the first 200 such students. Each such parent liaison shall serve as a liaison between the*  
605 *guardians of such students and the school principal and staff. Each such parent liaison shall provide*  
606 *guardians, particularly of minority students, with a variety of information about school programs,*  
607 *requirements, resources, events, and activities and shall perform related work as required. These*  
608 *positions shall be included in the Standards of Quality but shall not be considered support services*  
609 *positions and shall be funded by the Commonwealth at a rate equivalent to the school division's*  
610 *prevailing average secondary teacher cost.*

611 R. Notwithstanding the provisions of this section, when determining the assignment of instructional  
612 and other licensed personnel in subsections C through J, a local school board shall not be required to

include full-time students of approved virtual school programs.

**§ 22.1-253.13:2. (Effective pursuant to Va. Const, Art. IV, 13; for Effective Date, see Acts 2022, cc. 549, 550, cl. 2) Standard 2. Instructional, administrative, and support personnel.**

A. The Board shall establish requirements for the licensing of teachers, principals, superintendents, and other professional personnel.

B. School boards shall employ licensed instructional personnel qualified in the relevant subject areas.

C. Each school board shall assign licensed instructional personnel in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, school counselors or certain other licensed individuals as set forth in subdivision H 4, and librarians, that are not greater than the following ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be assigned to the class; (ii) 24 to one in grades one, two, and three with no class being larger than 30 students; (iii) 25 to one in grades four through six with no class being larger than 35 students; and (iv) 24 to one in English classes in grades six through 12. After September 30 of any school year, anytime the number of students in a class exceeds the class size limit established by this subsection, the local school division shall notify the parent of each student in such class of such fact no later than 10 days after the date on which the class exceeded the class size limit. Such notification shall state the reason that the class size exceeds the class size limit and describe the measures that the local school division will take to reduce the class size to comply with this subsection.

Within its regulations governing special education programs, the Board shall seek to set pupil/teacher ratios for pupils with intellectual disability that do not exceed the pupil/teacher ratios for self-contained classes for pupils with specific learning disabilities.

Further, school boards shall assign instructional personnel in a manner that produces schoolwide ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in middle schools and high schools. School divisions shall provide all middle and high school teachers with one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.

D. Each local school board shall employ with state and local basic, special education, gifted, and career and technical education funds a minimum number of licensed, full-time equivalent instructional personnel for each 1,000 students in average daily membership (ADM) as set forth in the appropriation act.

E. In addition to the positions supported by basic aid and in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be provided to fund certain full-time equivalent instructional positions for each 1,000 students in grades K through 12 who are identified as needing prevention, intervention, and remediation services. State funding for prevention, intervention, and remediation programs provided pursuant to this subsection and the appropriation act may be used to support programs for educationally at-risk students as identified by the local school boards.

To provide algebra readiness intervention services required by § 22.1-253.13:1, school divisions may employ mathematics teacher specialists to provide the required algebra readiness intervention services. School divisions using the Standards of Learning Algebra Readiness Initiative funding in this manner shall only employ instructional personnel licensed by the Board of Education.

F. In addition to the positions supported by basic aid and those in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the general appropriation act, shall be provided to support (i) 18.5 full-time equivalent instructional positions in the 2020-2021 school year for each 1,000 students identified as having limited English proficiency and (ii) 20 full-time equivalent instructional positions in the 2021-2022 school year and thereafter for each 1,000 students identified as having limited English proficiency, which positions may include dual language teachers who provide instruction in English and in a second language.

To provide flexibility in the instruction of English language learners who have limited English proficiency and who are at risk of not meeting state accountability standards, school divisions may use state and local funds from the Standards of Quality Prevention, Intervention, and Remediation account to employ additional English language learner teachers or dual language teachers to provide instruction to identified limited English proficiency students. Using these funds in this manner is intended to supplement the instructional services provided in this section. School divisions using the SOQ Prevention, Intervention, and Remediation funds in this manner shall employ only instructional personnel licensed by the Board of Education.

G. In addition to the full-time equivalent positions required elsewhere in this section, each local school board shall employ one reading specialist for each 550 students in kindergarten through grade three. Each such reading specialist shall have training in science-based reading research and evidence-based literacy instruction practices. In addition, each such reading specialist shall have training

674 in the identification of and the appropriate interventions, accommodations, and teaching techniques for  
675 students with dyslexia or a related disorder and shall serve as an advisor on dyslexia and related  
676 disorders. Such reading specialist shall have an understanding of the definition of dyslexia and a  
677 working knowledge of (i) techniques to help a student on the continuum of skills with dyslexia; (ii)  
678 dyslexia characteristics that may manifest at different ages and grade levels; (iii) the basic foundation of  
679 the keys to reading, including multisensory, explicit, systemic, and structured reading instruction; and  
680 (iv) appropriate interventions, accommodations, and assistive technology supports for students with  
681 dyslexia.

682 To provide reading intervention services required by § 22.1-253.13:1, school divisions may employ  
683 reading specialists to provide the required reading intervention services. School divisions using the Early  
684 Reading Intervention Initiative funds in this manner shall employ only instructional personnel licensed  
685 by the Board of Education.

686 H. Each local school board shall employ, at a minimum, the following full-time equivalent positions  
687 for any school that reports fall membership, according to student enrollment:

688 1. Principals, one full-time in each elementary school, middle school, and high school, to be  
689 employed on a 12-month basis;

690 2. Assistant principals in elementary schools, one half-time at 600 students, one full-time at 900  
691 students; assistant principals in middle schools, one full-time for each 600 students; assistant principals  
692 in high schools, one full-time for each 600 students; and school divisions that employ a sufficient  
693 number of assistant principals to meet this staffing requirement may assign assistant principals to schools  
694 within the division according to the area of greatest need, regardless of whether such schools are  
695 elementary, middle, or secondary;

696 3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students;  
697 librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time  
698 at 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students,  
699 two full-time at 1,000 students. Local school divisions that employ a sufficient number of librarians to  
700 meet this staffing requirement may assign librarians to schools within the division according to the area  
701 of greatest need, regardless of whether such schools are elementary, middle, or secondary; and

702 4. School counselors, one full-time equivalent position per 325 students in grades kindergarten  
703 through 12.

704 However, in order to meet the staffing requirements set forth in this subdivision, any local school  
705 board (i) may employ, under a provisional license issued by the Department for three school years with  
706 an allowance for an additional two-year extension with the approval of the division superintendent, any  
707 professional counselor licensed by the Board of Counseling, clinical social worker licensed by the Board  
708 of Social Work, psychologist licensed by the Board of Psychology, or other licensed counseling  
709 professional with appropriate experience and training, provided that any such individual makes progress  
710 toward completing the requirements for full licensure as a school counselor during such period of  
711 employment or (ii) in the event that the school board does not receive any application from a licensed  
712 school counselor, professional counselor, clinical social worker, or psychologist or another licensed  
713 counseling professional with appropriate experience and training to fill a school counselor vacancy in the  
714 school division, may enter into an annual contract with another entity for the provision of school  
715 counseling services by a licensed professional counselor, clinical social worker, or psychologist or  
716 another licensed counseling professional with appropriate experience and training. Local school boards  
717 that employ a sufficient number of individuals to meet the staffing requirements set forth in this  
718 subdivision may assign such individuals to schools within the division according to the area of greatest  
719 need, regardless of whether such schools are elementary, middle, or high schools.

720 I. Local school boards shall employ five full-time equivalent positions per 1,000 students in grades  
721 kindergarten through five to serve as elementary resource teachers in art, music, and physical education.

722 J. Local school boards shall employ two full-time equivalent positions per 1,000 students in grades  
723 kindergarten through 12, one to provide technology support and one to serve as an instructional  
724 technology resource teacher.

725 To provide flexibility, school divisions may use the state and local funds for instructional technology  
726 resource teachers to employ a data coordinator position, an instructional technology resource teacher  
727 position, or a data coordinator/instructional resource teacher blended position. The data coordinator  
728 position is intended to serve as a resource to principals and classroom teachers in the area of data  
729 analysis and interpretation for instructional and school improvement purposes, as well as for overall data  
730 management and administration of state assessments. School divisions using these funds in this manner  
731 shall employ only instructional personnel licensed by the Board of Education.

732 K. Local school boards may employ additional positions that exceed these minimal staffing  
733 requirements. These additional positions may include, but are not limited to, those funded through the  
734 state's incentive and categorical programs as set forth in the appropriation act.

735 L. A combined school, such as kindergarten through 12, shall meet at all grade levels the staffing

requirements for the highest grade level in that school; this requirement shall apply to all staff, except for school counselors or certain other licensed individuals as set forth in subdivision H 4, and shall be based on the school's total enrollment. The Board of Education may grant waivers from these staffing levels upon request from local school boards seeking to implement experimental or innovative programs that are not consistent with these staffing levels.

M. School boards shall, however, annually, on or before December 31, report to the public (i) the actual pupil/teacher ratios in elementary school classrooms in the local school division by school for the current school year; and (ii) the actual pupil/teacher ratios in middle school and high school in the local school division by school for the current school year. Actual pupil/teacher ratios shall include only the teachers who teach the grade and class on a full-time basis and shall exclude resource personnel. School boards shall report pupil/teacher ratios that include resource teachers in the same annual report. Any classes funded through the voluntary kindergarten through third grade class size reduction program shall be identified as such classes. Any classes having waivers to exceed the requirements of this subsection shall also be identified. Schools shall be identified; however, the data shall be compiled in a manner to ensure the confidentiality of all teacher and pupil identities.

N. Students enrolled in a public school on a less than full-time basis shall be counted in ADM in the relevant school division. Students who are either (i) enrolled in a nonpublic school or (ii) receiving home instruction pursuant to § 22.1-254.1, and who are enrolled in public school on a less than full-time basis in any mathematics, science, English, history, social science, career and technical education, fine arts, foreign language, or health education or physical education course shall be counted in the ADM in the relevant school division on a pro rata basis as provided in the appropriation act. Each such course enrollment by such students shall be counted as 0.25 in the ADM; however, no such nonpublic or home school student shall be counted as more than one-half a student for purposes of such pro rata calculation. Such calculation shall not include enrollments of such students in any other public school courses.

O. Each school board shall provide at least three specialized student support positions per 1,000 students. For purposes of this subsection, specialized student support positions include school social workers, school psychologists, school nurses, licensed behavior analysts, licensed assistant behavior analysts, and other licensed health and behavioral positions, which may either be employed by the school board or provided through contracted services.

P. Each local school board shall provide those support services that are necessary for the efficient and cost-effective operation and maintenance of its public schools.

For the purposes of this title, unless the context otherwise requires, "support services positions" shall include the following:

1. Executive policy and leadership positions, including school board members, superintendents and assistant superintendents;

2. Fiscal and human resources positions, including fiscal and audit operations;

3. Student support positions, including (i) social work administrative positions not included in subsection O; (ii) school counselor administrative positions not included in subdivision H 4; (iii) homebound administrative positions supporting instruction; (iv) attendance support positions related to truancy and dropout prevention; and (v) health and behavioral administrative positions not included in subsection O;

4. Instructional personnel support, including professional development positions and library and media positions not included in subdivision H 3;

5. Technology professional positions not included in subsection J;

6. Operation and maintenance positions, including facilities; pupil transportation positions; operation and maintenance professional and service positions; and security service, trade, and laborer positions;

7. Technical and clerical positions for fiscal and human resources, student support, instructional personnel support, operation and maintenance, administration, and technology; and

8. School-based clerical personnel in elementary schools; part-time to 299 students, one full-time at 300 students; clerical personnel in middle schools; one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in high schools; one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students. Local school divisions that employ a sufficient number of school-based clerical personnel to meet this staffing requirement may assign the clerical personnel to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary.

Pursuant to the appropriation act, support services shall be funded from basic school aid.

School divisions may use the state and local funds for support services to provide additional instructional services.

Q. *In any public elementary or secondary school in which at least 20 percent of enrolled students*

797 are identified as members of a single racial or ethnic group that constitutes a minority of the total  
798 population of the United States, in accordance with categories and statistics maintained by the United  
799 States Bureau of the Census, and as set forth in the data collected and submitted pursuant to the  
800 Virginia Student Record Collection in order to comply with relevant federal law, the local school board  
801 shall employ at least one full-time parent liaison who is also a member of such racial or ethnic group  
802 per the first 200 students who are identified as members of such group and at least one such additional  
803 full-time parent liaison per each additional 300 students who are identified as members of such group  
804 beyond the first 200 such students. Each such parent liaison shall serve as a liaison between the  
805 guardians of such students and the school principal and staff. Each such parent liaison shall provide  
806 guardians, particularly of minority students, with a variety of information about school programs,  
807 requirements, resources, events, and activities and shall perform related work as required. These  
808 positions shall be included in the Standards of Quality but shall not be considered support services  
809 positions and shall be funded by the Commonwealth at a rate equivalent to the school division's  
810 prevailing average secondary teacher cost.

811 R. Notwithstanding the provisions of this section, when determining the assignment of instructional  
812 and other licensed personnel in subsections C through J, a local school board shall not be required to  
813 include full-time students of approved virtual school programs.

814 **2. That in addition to the parent liaisons required to be employed pursuant to the provisions of**  
815 **this act, the General Assembly recognizes the necessity for and encourages each school board to**  
816 **employ parent liaisons in schools in the local school division with impacted attendance rates and**  
817 **lower enrollment rates because of the COVID-19 pandemic.**