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**HOUSE BILL NO. 1954**

Offered January 13, 2025

Prefiled January 6, 2025

*A BILL to amend and reenact §§ 22.1-199.1, 22.1-253.13:2, and 51.1-617 of the Code of Virginia, relating to public school funding; special education add-on and staffing; support services positions; At-Risk Program established; English language learner expenditures; report.*

Patrons—Rasoul, Convors-Fowler, Sewell, Simonds, Carr, Cousins, Gardner, Henson, Keys-Gamarra, LeVere Bolling, Lopez, Maldonado, Martinez, Reaser, Reid and Watts

Referred to Committee on Appropriations

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

**1. That §§ 22.1-199.1, 22.1-253.13:2, and 51.1-617 of the Code of Virginia are amended and reenacted as follows:**

**§ 22.1-199.1. Programs designed to promote educational opportunities.**

A. The General Assembly finds that Virginia educational research supports the conclusion that poor children are more at risk of educational failure than children from more affluent homes and that reduced pupil/teacher ratios and class sizes result in improved academic performance among young children; to this end, the General Assembly establishes a long-term goal of reducing pupil/teacher ratios and class sizes for grades K through three in those schools in the Commonwealth with high or moderate concentrations of at-risk students.

With such funds as are provided in the appropriation act for this purpose, there is hereby established the statewide voluntary pupil/teacher ratio and class size reduction program for the purpose of reaching the long-term goal of statewide voluntary pupil/teacher ratio and class size reductions for grades K through three in schools with high or moderate concentrations of at-risk students, consistent with the provisions provided in the appropriation act.

In order to facilitate these primary grade ratio and class size reductions, the Department shall calculate the state funding of these voluntary ratio and class size reductions based on the incremental cost of providing the lower class sizes according to the greater of the division average per-pupil cost of all divisions or the actual division per-pupil cost. Localities shall provide matching funds for these voluntary ratio and class size reductions based on the composite index of local ability to pay. School divisions shall notify the Department of their intention to implement the reduced ratios and class sizes in one or more of their qualifying schools by August 1 of each year. By March 31 of each year, school divisions shall forward data substantiating that each participating school has a complying pupil/teacher ratio.

In developing each proposed biennium budget for public education, the Board shall include funding for these ratios and class sizes. These ratios and class sizes shall be included in the annual budget for public education.

B. The General Assembly finds that educational technology is one of the most important components, along with highly skilled teachers, in ensuring the delivery of quality public school education throughout the Commonwealth. Therefore, the Board shall strive to incorporate technological studies within the teaching of all disciplines. Further, the General Assembly notes that educational technology can only be successful if teachers and administrators are provided adequate training and assistance. To this end, the following program is established.

With such funds as are appropriated for this purpose, the Board shall award to the several school divisions grants for expanded access to educational technology. Funding for educational technology training for instructional personnel shall be provided as set forth in the appropriation act.

Funds for improving the quality and capacity of educational technology shall also be provided as set forth in the appropriation act, including (i) funds for providing a technology resource assistant to serve every elementary school in this Commonwealth and (ii) funds to maintain the currency of career and technical education programs. Any local school board accepting funds to hire technology resource assistants or maintain currency of career and technical education programs shall commit to providing the required matching funds, based on the composite index of local ability to pay.

Each qualifying school board shall establish an individualized technology plan, which shall be approved by the Superintendent, for integrating technology into the classroom and into schoolwide instructional programs, including career and technical education programs. The first priority for funding shall be consistent with those components of the Board's revised six-year technology plan that focus on (i) retrofitting and upgrading existing school buildings to efficiently use educational technology; (ii) providing (a) one network-ready multimedia microcomputer for each classroom, (b) a five-to-one ratio of pupils to network-ready

58 microcomputers, (c) graphing calculators and relevant scientific probes/sensors as required by the Standards  
 59 of Learning, and (d) training and professional development on available technologies and software to all  
 60 levels and positions, including professional development for personnel delivering career and technical  
 61 education at all levels and positions; and (iii) assisting school divisions in developing integrated voice-,  
 62 video-, and data-connectivity to local, national and international resources.

63 This funding may be used to implement a local school division's long-range technology plan, at the  
 64 discretion of the relevant school board, if the local plan meets or exceeds the goals and standards of the  
 65 Board's revised six-year technology plan and has been approved by the Superintendent.

66 The Department of Education, the Department of General Services, and the Virginia Information  
 67 Technologies Agency shall coordinate master contracts for the purchase by local school boards of the  
 68 aforementioned educational technologies and reference materials.

69 A technology replacement program shall be, with such funds as may be appropriated for this purpose,  
 70 implemented to replace obsolete educational hardware and software. As provided in subsection D of §  
 71 22.1-129, school boards may donate obsolete educational technology hardware and software that are being  
 72 replaced. Any such donations shall be offered to other school divisions and to preschool programs in the  
 73 Commonwealth or to public school students as provided in guidelines to be promulgated by the Board. Such  
 74 guidelines shall include criteria for determining student eligibility and need, a reporting system for the  
 75 compilation of information concerning the number and socioeconomic characteristics of recipient students,  
 76 and notification of parents of the availability of such donations of obsolete educational hardware and  
 77 software.

78 ~~C. The General Assembly finds that local autonomy in making decisions on local educational needs and  
 79 priorities results in effective grassroots efforts to improve education in the Commonwealth's public schools  
 80 only when coupled with sufficient state funding; to this end, the following block grant program is hereby  
 81 established. With such funds as are provided in the appropriation act, the Department shall distribute block  
 82 grants to localities to enable compliance with the Commonwealth's requirements for school divisions in effect  
 83 on January 1, 1995. Therefore, for the purpose of such compliance, the block grant herein established shall  
 84 consist of a sum equal to the amount appropriated in the appropriation act for the covered programs,  
 85 including the at-risk add-on program; dropout prevention; specifically Project YES; Project Discovery;  
 86 English as a second language programs; including programs for overage, non-schooled students;  
 87 Advancement Via Individual Determination (AVID); the Homework Assistance Program; programs initiated  
 88 under the Virginia Guaranteed Assistance Program, except that such funds shall not be used to pay any  
 89 expenses of participating students at institutions of higher education; and school/community health centers.  
 90 Each school board may use any funds received through the block grant to implement the covered programs  
 91 and other programs designed to save the Commonwealth's children from educational failure.~~

92 ~~D. In order to reduce pupil/teacher ratios and class sizes in elementary schools, from such funds as may be  
 93 appropriated for this purpose, each school board may employ additional classroom teachers, remedial  
 94 teachers, and reading specialists for each of its elementary schools over the requirements of the Standards of  
 95 Quality. State and local funding for such additional classroom teachers, remedial teachers, and reading  
 96 specialists shall be apportioned as provided in the appropriation act.~~

97 ~~E. D. Pursuant to a turnaround specialist program administered by the Department, local school boards  
 98 may enter into agreements with individuals to be employed as turnaround specialists to address those  
 99 conditions at the school that may impede educational progress and effectiveness and academic success. Local  
 100 school boards may offer such turnaround specialists or other administrative personnel incentives such as  
 101 increased compensation, improved retirement benefits in accordance with Chapter 6.2 (§ 51.1-617 et seq.) of  
 102 Title 51.1, increased deferred compensation in accordance with § 51.1-603, relocation expenses, bonuses, and  
 103 other incentives as may be determined by the board.~~

104 ~~F. E. The General Assembly finds that certain schools have particular difficulty hiring teachers for certain  
 105 subject areas and that the need for such teachers in these schools is particularly strong. Accordingly in an  
 106 effort to attract and retain high quality teachers, local school boards may offer instructional personnel serving  
 107 in such schools as a member of a middle school teacher corps administered by the Department incentives  
 108 such as increased compensation, improved retirement benefits in accordance with Chapter 6.2 (§ 51.1-617 et  
 109 seq.) of Title 51.1, increased deferred compensation in accordance with § 51.1-603, relocation expenses,  
 110 bonuses, and other incentives as may be determined by the board.~~

111 For purposes of this subsection, "middle school teacher corps" means licensed instructional personnel who  
 112 are assigned to a local school division to teach in a subject matter in grades six, seven, or eight where there is  
 113 a critical need, as determined by the Department. The contract between such persons and the relevant local  
 114 school board shall specify that the contract is for service in the middle school teacher corps.

115 **§ 22.1-253.13:2. Standard 2. Instructional, administrative, and support personnel.**

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

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

119 C. Each school board shall assign licensed instructional personnel in a manner that produces divisionwide

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

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

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

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

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

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

153 F. In addition to the positions supported by basic aid and those in support of regular school year programs  
 154 of prevention, intervention, and remediation, state funding, pursuant to the general appropriation act, shall be  
 155 provided to support ratios of instructional positions to English language learner students, based on each such  
 156 student's English proficiency level, as established in the general appropriation act, which positions may  
 157 include dual language teachers who provide instruction in English and in a second language.

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

165 G. In addition to the full-time equivalent positions required elsewhere in this section, each local school  
 166 board shall employ one reading specialist for each 550 students in kindergarten through grade five and one  
 167 reading specialist for each 1,100 students in grades six through eight. Each such reading specialist shall have  
 168 training in science-based reading research and evidence-based literacy instruction practices. In addition, each  
 169 such reading specialist shall have training in the identification of and the appropriate interventions,  
 170 accommodations, and teaching techniques for students with dyslexia or a related disorder and shall serve as  
 171 an advisor on dyslexia and related disorders. Such reading specialist shall have an understanding of the  
 172 definition of dyslexia and a working knowledge of (i) techniques to help a student on the continuum of skills  
 173 with dyslexia; (ii) dyslexia characteristics that may manifest at different ages and grade levels; (iii) the basic  
 174 foundation of the keys to reading, including multisensory, explicit, systemic, and structured reading  
 175 instruction; and (iv) appropriate interventions, accommodations, and assistive technology supports for  
 176 students with dyslexia.

177 To provide reading intervention services required by § 22.1-253.13:1, school divisions may employ  
 178 reading specialists to provide the required reading intervention services. School divisions using the Early  
 179 Reading Intervention Initiative funds in this manner shall employ only instructional personnel licensed by the  
 180 Board. Local school divisions that employ a sufficient number of reading specialists to meet this staffing

181 standard may assign reading specialists to grade levels according to grade levels with greatest need,  
182 regardless of the individual staffing standards established for grades kindergarten through five and six  
183 through eight.

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

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

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

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

200 4. School counselors, one full-time equivalent position per 325 students in grades kindergarten through  
201 12.

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

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

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

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

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

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

239 M. School boards shall, however, annually, on or before December 31, report to the public (i) the actual  
240 pupil/teacher ratios in elementary school classrooms in the local school division by school for the current  
241 school year; and (ii) the actual pupil/teacher ratios in middle school and high school in the local school

242 division by school for the current school year. Actual pupil/teacher ratios shall include only the teachers who  
 243 teach the grade and class on a full-time basis and shall exclude resource personnel. School boards shall report  
 244 pupil/teacher ratios that include resource teachers in the same annual report. Any classes funded through the  
 245 voluntary kindergarten through third grade class size reduction program shall be identified as such classes.  
 246 Any classes having waivers to exceed the requirements of this subsection shall also be identified. Schools  
 247 shall be identified; however, the data shall be compiled in a manner to ensure the confidentiality of all teacher  
 248 and pupil identities.

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

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

263 In order to fill vacant school psychologist positions, any local school board may employ, under a  
 264 provisional license issued by the Department for three school years with an allowance for an additional two-  
 265 year extension with the approval of the division superintendent, clinical psychologists licensed by the Board  
 266 of Psychology, provided that any such individual makes progress toward completing the requirements for full  
 267 licensure as a school psychologist during such period of employment.

268 P. Each local school board shall provide those support services that are necessary for the efficient and  
 269 cost-effective operation and maintenance of its public schools. *Support services positions shall be funded  
 270 based on a calculation of prevailing costs and shall not be subject to any method of funding calculation that  
 271 caps the number of funded support services positions based on a ratio of such positions to students enrolled  
 272 the local school division, provided, however, that such methodology shall not apply to the following  
 273 Standards of Quality support positions: division superintendent, school board members, pupil transportation  
 274 positions, or specialized student support positions as described in subsection O.*

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

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

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

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

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

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

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

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

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

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

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

302 Q. Notwithstanding the provisions of this section, when determining the assignment of instructional and

303 other licensed personnel in subsections C through J, a local school board shall not be required to include full-  
304 time students of approved virtual school programs.

305 R. Each local school board shall designate a faculty member to serve as a special education parent/family  
306 liaison. The special education parent/family liaison shall serve as a resource to parents and families to  
307 understand and engage in (i) the referral, evaluation, reevaluation, and eligibility process if they suspect that  
308 their child has a disability and (ii) the IEP process and shall work in collaboration with the special education  
309 family support centers established pursuant to § 22.1-214.5. Each school board shall post the name of the  
310 designated special education parent/family liaison publicly on its website.

311 *S. There is hereby established the At-Risk Program for the purpose of supporting programs and services*  
312 *for students who are educationally at risk, including prevention, intervention, or remediation activities*  
313 *required pursuant to Standard 1 (§ 22.1-253.13:1); teacher recruitment programs and incentives; Dropout*  
314 *Prevention; community and school-based truancy officer programs; Advancement Via Individual*  
315 *Determination (AVID); Project Discovery; programs for English language learners; the hiring of additional*  
316 *school counselors, testing coordinators, and licensed behavioral analysts; and programs relating to*  
317 *increasing the success of disadvantaged students in completing a high school degree and providing*  
318 *opportunities to encourage further education and training. A portion of the state funding provided for the*  
319 *At-Risk Program shall be allocated to school divisions on a flat per-student percentage rate set out in the*  
320 *general appropriation act and a portion of such funding shall be allocated to school divisions on a variable*  
321 *rate set out in the general appropriation act based on the concentration of poverty in the school division.*

322 *T. State-funded add-ons shall be provided to support each special education student that shall be*  
323 *calculated by multiplying (i) a differential student weight set forth in the general appropriation act based on*  
324 *whether the student is served at service level I or service level II, as set forth in 8VAC20-81-40, by (ii) the*  
325 *relevant basic aid per-pupil amount for each special education student. Local funding obligations for such*  
326 *add-ons shall be determined by the composite index of local ability-to-pay.*

327 **§ 51.1-617. Definitions.**

328 As used in this chapter, unless the context requires a different meaning:

329 "Board" means the Board of Trustees of the Virginia Retirement System.

330 "Eligible employee" means any turnaround specialist or member of the middle school teacher corps  
331 providing services for a participating public school division pursuant to subsections *D* and *E* ~~and *F*~~ of §  
332 22.1-199.1.

333 "Participating employer" means any local public school board that offers and pays the costs of improved  
334 retirement benefits as described in subsections *D* and *E* ~~and *F*~~ of § 22.1-199.1.

335 "Plan" means the defined contribution plan established pursuant to this chapter and the provisions of §  
336 401 (a) of the Internal Revenue Code of 1986, as amended.

337 "Qualified participant" means an eligible employee of a participating employer.

338 **2. That to begin to address the recommendations of the Joint Legislative Audit and Review**  
339 **Commission's 2023 review of Virginia's K-12 Funding Formula, the Virginia Department of Education**  
340 **shall develop and implement a data collection process related to English language learner expenditures**  
341 **and student English proficiency levels and identify other options to support English language learners.**  
342 **The Department shall provide a status report to the Joint Subcommittee on Elementary and Secondary**  
343 **Education Funding on its implementation and data collection efforts by September 1, 2025.**

344 **3. That the Department of Education, in collaboration with the Department of Behavioral Health and**  
345 **Developmental Services or any other relevant stakeholders with expertise in special education as the**  
346 **Department of Education deems appropriate, shall develop a plan for revised special education staffing**  
347 **requirements that addresses the staffing needs of each special education program in each school**  
348 **division as determined by the specific educational and behavioral support needs of students who**  
349 **receive special education and aims to improve special education teacher recruitment and retention.**  
350 **The Department of Education shall report its findings to the Joint Subcommittee on Elementary and**  
351 **Secondary Education Funding by November 1, 2025.**