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SENATE BILL NO. 695  
AMENDMENT IN THE NATURE OF A SUBSTITUTE  
(Proposed by the Senate Committee on Education and Health  
on \_\_\_\_\_)  
(Patron Prior to Substitute—Senator Jordan)

*A BILL to amend and reenact §§ 9.1-110, 22.1-253.13:2, as it is currently effective and as it shall become effective, 22.1-280.2:3, and 51.1-155 of the Code of Virginia, relating to school boards; Virginia Retirement System; school resource officers.*

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

**1. That §§ 9.1-110, 22.1-253.13:2, as it is currently effective and as it shall become effective, 22.1-280.2:3, 51.1-138, and 51.1-155 of the Code of Virginia are amended and reenacted as follows:**

**§ 9.1-110. School Resource Officer Grants Program and School Resource Officer Incentive Grants Fund.**

A. From the funds appropriated for such purpose and from the gifts, donations, grants, bequests, and other funds received on its behalf, there is established (i) the School Resource Officer Grants Program, to be administered by the Board, in consultation with the Board of Education, and (ii) a special nonreverting fund within the state treasury known as the School Resource Officer Incentive Grants Fund, hereinafter known as the "Fund." The Fund shall be established on the books of the Comptroller, and any moneys remaining in the Fund at the end of the biennium shall not revert to the general fund but shall remain in the Fund. Interest earned on such funds shall remain in the Fund and be credited to it.

Subject to the authority of the Board to provide for its disbursement, the Fund shall be disbursed to award matching grants to local law-enforcement agencies and local school boards that have established a collaborative agreement ~~in accordance with~~ *as required by* § 22.1-280.2:3 to employ uniformed school resource officers, as defined in § 9.1-101, school security officers, as defined in § 9.1-101, and other relevant school safety personnel within the relevant school division or law-enforcement agency as determined by the Department, *in addition to the school resource officers employed in each secondary school in the relevant school division in accordance with § 22.1-253.13:2.* Grants may be awarded for the expenses related to the equipment necessary for such uniformed school resource officers, school security officers, and other relevant school safety personnel and the enhancement of the school-law enforcement partnership through training and programming as determined by the Department, provided, however, that such grants shall not be used for any expense related to the purchase of firearms, handcuffs or other wrist restraints, or any stun weapon as defined

32 in § 18.2-308.1.

33 The Board may disburse annually up to five percent of the Fund for the training of the school resource  
34 officers. School resource officers shall be certified law-enforcement officers and shall be employed to help  
35 ensure safety and prevent truancy and violence in schools.

36 B. The Board shall establish criteria for making grants from the Fund, including procedures for  
37 determining the amount of a grant and the required local match. Any grant of general funds shall be matched  
38 by the locality on the basis of the composite index of local ability to pay. The Board may adopt guidelines  
39 governing the Program and the employment and duties of the school resource officers as it deems necessary  
40 and appropriate.

41 **§ 22.1-253.13:2. (Effective until July 1, 2026) Standard 2. Instructional, administrative, and support**  
42 **personnel.**

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

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

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

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

61 classes for pupils with specific learning disabilities.

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

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

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

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

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

85 To provide flexibility in the instruction of English language learners who have limited English proficiency  
86 and who are at risk of not meeting state accountability standards, school divisions may use state and local  
87 funds from the Standards of Quality Prevention, Intervention, and Remediation account to employ additional  
88 English language learner teachers or dual language teachers to provide instruction to identified limited  
89 English proficiency students. Using these funds in this manner is intended to supplement the instructional

90 services provided in this section. School divisions using the SOQ Prevention, Intervention, and Remediation  
91 funds in this manner shall employ only instructional personnel licensed by the Board.

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

104 To provide reading intervention services required by § 22.1-253.13:1, school divisions may employ  
105 reading specialists to provide the required reading intervention services. School divisions using the Early  
106 Reading Intervention Initiative funds in this manner shall employ only instructional personnel licensed by the  
107 Board. Local school divisions that employ a sufficient number of reading specialists to meet this staffing  
108 standard may assign reading specialists to grade levels according to grade levels with greatest need,  
109 regardless of the individual staffing standards established for grades kindergarten through five and six  
110 through eight.

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

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

115 2. Assistant principals in elementary schools, one half-time at 600 students, one full-time at 900 students;  
116 assistant principals in middle schools, one full-time for each 600 students; assistant principals in high schools,  
117 one full-time for each 600 students; and school divisions that employ a sufficient number of assistant  
118 principals to meet this staffing requirement may assign assistant principals to schools within the division

119 according to the area of greatest need, regardless of whether such schools are elementary, middle, or  
120 secondary;

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

127 4. School counselors, one full-time equivalent position per 325 students in grades kindergarten through  
128 12.

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

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

147 J. Local school boards shall employ two full-time equivalent positions per 1,000 students in grades

148 kindergarten through 12, one to provide technology support and one to serve as an instructional technology  
149 resource teacher.

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

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

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

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

176 N. Students enrolled in a public school on a less than full-time basis shall be counted in ADM in the

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

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

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

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

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

- 199 1. Executive policy and leadership positions, including school board members, superintendents and  
200 assistant superintendents;
- 201 2. Fiscal and human resources positions, including fiscal and audit operations;
- 202 3. Student support positions, including (i) social work administrative positions not included in subsection  
203 O; (ii) school counselor administrative positions not included in subdivision H 4; (iii) homebound  
204 administrative positions supporting instruction; (iv) attendance support positions related to truancy and  
205 dropout prevention; and (v) health and behavioral administrative positions not included in subsection O;

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

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

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

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

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

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

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

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

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

233 S. Each school board shall enter into a collaborative agreement with a local law-enforcement agency to  
234 employ at least one school resource officer, as defined in § 9.1-101, in each secondary school in the school  
235 division.

236 § 22.1-253.13:2. (Effective July 1, 2026) Standard 2. Instructional, administrative, and support  
237 personnel.

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

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

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

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

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

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

264 E. In addition to the positions supported by basic aid and in support of regular school year programs of

265 prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be provided  
266 to fund certain full-time equivalent instructional positions for each 1,000 students in grades K through 12  
267 who are identified as needing prevention, intervention, and remediation services. State funding for  
268 prevention, intervention, and remediation programs provided pursuant to this subsection and the  
269 appropriation act may be used to support programs for educationally at-risk students as identified by the local  
270 school boards.

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

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

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

287 G. In addition to the full-time equivalent positions required elsewhere in this section, each local school  
288 board shall employ one reading specialist for each 550 students in kindergarten through grade five and one  
289 reading specialist for each 1,100 students in grades six through eight. Each such reading specialist shall have  
290 training in science-based reading research and evidence-based literacy instruction practices. In addition, each  
291 such reading specialist shall have training in the identification of and the appropriate interventions,  
292 accommodations, and teaching techniques for students with dyslexia or a related disorder and shall serve as  
293 an advisor on dyslexia and related disorders. Such reading specialist shall have an understanding of the

294 definition of dyslexia and a working knowledge of (i) techniques to help a student on the continuum of skills  
295 with dyslexia; (ii) dyslexia characteristics that may manifest at different ages and grade levels; (iii) the basic  
296 foundation of the keys to reading, including multisensory, explicit, systemic, and structured reading  
297 instruction; and (iv) appropriate interventions, accommodations, and assistive technology supports for  
298 students with dyslexia.

299 To provide reading intervention services required by § 22.1-253.13:1, school divisions may employ  
300 reading specialists to provide the required reading intervention services. School divisions using the Early  
301 Reading Intervention Initiative funds in this manner shall employ only instructional personnel licensed by the  
302 Board. Local school divisions that employ a sufficient number of reading specialists to meet this staffing  
303 standard may assign reading specialists to grade levels according to grade levels with greatest need,  
304 regardless of the individual staffing standards established for grades kindergarten through five and six  
305 through eight.

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

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

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

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

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

323 12.

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

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

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

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

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

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

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

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

380 O. Each school board shall provide at least three specialized student support positions per 1,000 students.

381 For purposes of this subsection, specialized student support positions include school social workers, school  
382 psychologists, school nurses, licensed behavior analysts, licensed assistant behavior analysts, and other  
383 licensed health and behavioral positions, which may either be employed by the school board or provided  
384 through contracted services.

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

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

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

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

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

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

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

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

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

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

408 8. School-based clerical personnel in elementary schools; part-time to 299 students, one full-time at 300  
409 students; clerical personnel in middle schools; one full-time and one additional full-time for each 600

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

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

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

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

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

428 S. Each local school board shall designate a faculty member to serve as the high-quality instructional  
429 materials liaison. Such liaison shall receive support from the Department to serve as a resource for the  
430 division and its schools to select and implement textbooks and other high-quality instructional materials and  
431 aligned professional learning resources.

432 *T. Each school board shall enter into a collaborative agreement with a local law-enforcement agency to*  
433 *employ at least one school resource officer, as defined in § 9.1-101, in each secondary school in the school*  
434 *division.*

435 **§ 22.1-280.2:3. School boards; safety and security personnel.**

436 A. ~~The~~ Each school board in each school division in which the local law-enforcement agency employs  
437 shall employ a school resource officers officer, as defined in § 9.1-101, and shall enter into a memorandum of  
438 understanding with ~~such~~ the local law-enforcement agency that sets forth the powers and duties of ~~such~~  
439 school resource officers. The provisions of such memorandum of understanding shall be based on the model

440 memorandum of understanding developed by the Virginia Center for School and Campus Safety pursuant to  
441 subdivision A 12 of § 9.1-184, which may be modified by the parties in accordance with their particular  
442 needs. Each such school board and local law-enforcement agency shall review and amend or affirm such  
443 memorandum at least once every two years or at any time upon the request of either party. Each school board  
444 shall ensure the current division memorandum of understanding is conspicuously published on the division  
445 website and provide notice and opportunity for public input during each memorandum of understanding  
446 review period.

447 B. The chief local law-enforcement officer for any local school division in which a public elementary or  
448 secondary school does not employ a school resource officer, as defined in § 9.1-101, shall designate a  
449 law-enforcement officer to receive, either in-person or online, the training set forth in subsection E of  
450 § 22.1-279.8. Such officer shall serve as the law-enforcement liaison for the school administrator described in  
451 subsection E of § 22.1-279.8 in each public elementary or secondary school that does not employ a school  
452 resource officer.

453 **§ 51.1-155. Service retirement allowance.**

454 A. Retirement allowance. — A member shall receive an annual retirement allowance, payable for life, as  
455 follows:

456 1. Normal retirement. — The allowance shall equal 1.70 percent of his average final compensation  
457 multiplied by the amount of his creditable service. Notwithstanding the foregoing, for a member who (i) is a  
458 person who becomes a member on or after July 1, 2010, or (ii) does not have at least 60 months of creditable  
459 service as of January 1, 2013, the allowance shall equal the sum of (a) 1.65 percent of his average final  
460 compensation multiplied by the amount of his creditable service performed or purchased on or after January  
461 1, 2013, and (b) 1.70 percent of his average final compensation multiplied by the amount of all other  
462 creditable service.

463 2. Early retirement; applicable to teachers, state employees, and certain others. — The allowance shall be  
464 determined in the same manner as for normal retirement with creditable service and average final  
465 compensation being determined as of the date of actual retirement. If the member has less than 30 years of  
466 service at retirement, the amount of the retirement allowance shall be reduced on an actuarial equivalent basis  
467 for the period by which the actual retirement date precedes the earlier of (i) his normal retirement date or (ii)  
468 the first date on which he would have completed a total of 30 years of creditable service. The provisions of  
469 this subdivision shall apply to teachers and state employees. These provisions shall also apply to employees

470 of any political subdivision that participates in the retirement system if the political subdivision makes the  
471 election provided in subdivision 3.

472 3. Early retirement; applicable to employees of certain political subdivisions, any person who becomes a  
473 member on or after July 1, 2010, and any member who does not have at least 60 months of creditable service  
474 as of January 1, 2013. — The allowance shall be determined in the same manner as for normal retirement  
475 with creditable service and average final compensation being determined as of the date of actual retirement. If  
476 the creditable service of the member equals 30 or more years but the sum of his age at retirement plus his  
477 creditable service at retirement is less than 90, the amount of the retirement allowance shall be reduced on an  
478 actuarial equivalent basis for the period by which the actual retirement date precedes the earlier of (i) his  
479 normal retirement date or (ii) the first date on which the sum of his then attained age plus his then creditable  
480 service would have been equal to 90 or more had he remained in service until such date. If the member has  
481 less than 30 years of creditable service, the retirement allowance shall be reduced for the period by which the  
482 actual retirement date precedes the earlier of (i) his normal retirement date or (ii) the first date on which he  
483 would have completed a total of at least 30 years of creditable service and his then creditable service plus his  
484 then attained age would have been equal to 90 or more.

485 The provisions of this subdivision shall apply to the employees of any political subdivision that  
486 participates in the retirement system and any other employees as provided by law. The participating political  
487 subdivision may, however, elect to provide its employees with the early retirement allowance set forth in  
488 subdivision 2. No such election shall be made for a person who becomes a member on or after July 1, 2010,  
489 or a member who does not have at least 60 months of creditable service as of January 1, 2013. Any election  
490 pursuant to this subdivision shall be set forth in a legally adopted resolution.

491 Notwithstanding the foregoing, a political subdivision by legally adopted resolution may declare to the  
492 Board that, for purposes of this subdivision, subdivisions B 1 and B 3 and subsection D of § 51.1-153, any  
493 person who meets the definition of "emergency medical services personnel" in § 32.1-111.1 or is employed as  
494 a firefighter or law-enforcement officer as those terms are defined in § 15.2-1512.2 (i) shall not be considered  
495 a person who becomes a member on or after July 1, 2010, and (ii) shall be deemed to have at least 60 months  
496 of creditable service as of January 1, 2013. Such resolution shall be irrevocable.

497 4. Additional allowance. — In addition to the allowance payable under subdivisions 1, 2, and 3, a member  
498 shall receive an additional allowance which shall be the actuarial equivalent, for his attained age at the time

499 of retirement, of the excess of his accumulated contributions transferred from the abolished system to the  
500 retirement system, including interest credited at the rate of two percent compounded annually since the  
501 transfer to the date of retirement, over the annual amounts equal to four percent of his annual creditable  
502 compensation at the date of abolishment for a period equal to his period of membership in the abolished  
503 system.

504 5. 50/10 retirement. — The allowance shall be payable in a monthly stream of payments equal to the  
505 greater of (i) the actuarial equivalent of the benefit the member would have received had he terminated  
506 service and deferred retirement to age 55 or (ii) the actuarially calculated present value of the member's  
507 accumulated contributions, including accrued interest.

508 B. Beneficiary serving in position covered by this title.

509 1. Except as provided in subdivisions 2, 3, and 4, if a beneficiary of a service retirement allowance under  
510 this chapter or the provisions of Chapters 2 (§ 51.1-200 et seq.), 2.1 (§ 51.1-211 et seq.), or 3 (§ 51.1-300 et  
511 seq.) is at any time in service as an employee in a position covered for retirement purposes under the  
512 provisions of this or any chapter other than Chapter 6 (§ 51.1-600 et seq.), 6.1 (§ 51.1-607 et seq.), or 7  
513 (§ 51.1-700 et seq.), his retirement allowance shall cease while so employed. Any member who retires and  
514 later returns to covered employment shall not be entitled to select a different retirement option for a  
515 subsequent retirement.

516 2. Active members of the General Assembly who are eligible to receive a retirement allowance under this  
517 title, excluding their service as a member of the General Assembly, shall be eligible to receive a retirement  
518 allowance based on their creditable service and average final compensation for service other than as a  
519 member of the General Assembly. Such members of the General Assembly shall continue to be reported as  
520 any other members of the retirement system. Upon ceasing to serve in the General Assembly, members of the  
521 General Assembly receiving a retirement allowance based on their creditable service and average final  
522 compensation for service other than as a member of the General Assembly shall have their retirement  
523 allowance recomputed prospectively to include their service as a member of the General Assembly. Active  
524 members of the General Assembly shall be prohibited from receiving a service retirement allowance under  
525 this title based solely on their service as a member of the General Assembly.

526 3. (Expires July 1, 2028) Any person receiving a service retirement allowance under this chapter, who is  
527 hired by a local public school board (i) as an instructional or administrative employee required to be licensed  
528 by the Board of Education, (ii) in a specialized student support position as that term is described in subsection

529 O of § 22.1-253.13:2, or (iii) as a school bus driver, may elect to continue to receive the retirement allowance  
530 during such employment, under the following conditions:

531 (a) The person has a break in service of at least six calendar months between retirement and returning to  
532 work full time for a local public school board;

533 (b) The person is not receiving a retirement benefit pursuant to an early retirement incentive program from  
534 any local public school division within the Commonwealth; and

535 (c) At the time the person is employed, the position to which he is assigned is among those identified by  
536 the Superintendent of Public Instruction pursuant to subdivision 4 of § 22.1-23, by the relevant division  
537 superintendent, pursuant to § 22.1-70.3, or by the relevant local public school board, pursuant to subdivision  
538 9 of § 22.1-79.

539 If the person elects to continue to receive the retirement allowance during the period of such employment,  
540 then his service performed and compensation received during such period of time will not increase, decrease,  
541 or affect in any way his retirement benefits before, during, or after such employment, nor shall such person be  
542 eligible to receive any retirement benefits available to him pursuant to Chapter 6.1 (§ 51.1-607 et seq.). In  
543 addition, the employer shall include the person's compensation in membership payroll subject to employer  
544 contributions under § 51.1-145.

545 4. (Expires July 1, 2028) Any person receiving a service retirement allowance under this title for service  
546 as a sworn law-enforcement officer and who is employed in a local public school division as a school security  
547 officer *or school resource officer*, as *those terms are* defined in § 9.1-101, may elect to continue to receive  
548 the retirement allowance during such employment under the following conditions: (i) the person has a break  
549 in service of at least six calendar months between retirement for service as a sworn law-enforcement officer  
550 and employment as a school security officer *or school resource officer*; (ii) the person is not receiving a  
551 retirement benefit pursuant to an early retirement incentive program from any local public school division  
552 within the Commonwealth; (iii) the person is not receiving a retirement benefit pursuant to an early  
553 retirement incentive program from any employer, as defined in § 51.1-124.3; and (iv) the person did not  
554 participate in any incentive program established under the second or third enactment of Chapters 152 and 811  
555 of the Acts of Assembly of 1995. If the person elects to continue to receive the retirement allowance during  
556 the period of such employment, then his service performed and compensation received during such period of  
557 time will not increase, decrease, or affect in any way his retirement benefits before, during, or after such  
558 employment, nor shall such person be eligible to receive any retirement benefits available to him pursuant to  
559 Chapter 6.1 (§ 51.1-607 et seq.). In addition, the employer shall include the person's compensation in

**560** membership payroll subject to employer contributions under § 51.1-145.

**561** At least once in each four-year period, in conjunction with the actuarial investigation made under  
**562** subdivision A 4 of § 51.1-124.22, there shall be an actuarial investigation made of the experience under  
**563** subdivisions B 3 and 4 of this section, and the retirement system shall submit a report to the General  
**564** Assembly advising it of the results of such investigation.