



**VIRGINIA
IS FOR
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**GUIDANCE FOR THE
PROVISION OF SPECIALIZED
STUDENT SUPPORT
POSITIONS IN VIRGINIA
PUBLIC SCHOOLS**

SPECIALIZED STUDENT SUPPORT POSITIONS

Guidance released in response to *Code of Virginia* §22.1-253.13:2 and 22.1-274 ([Senate Bill No.1257](#)).

INTRODUCTION

The 2021 General Assembly Session passed Senate Bill No.1257 to amend and reenact §§ [22.1-253.13:2](#) and [22.1-274](#) of the *Code of Virginia*, relating to the Standards of Quality. A section was added to § [22.1-253.13:2](#). Standard two. Instructional, administrative, and support personnel as follows:

“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.”

Section § [22.1-274](#) of the *Code of Virginia* was also amended to reflect the addition of this subsection.

This new requirement becomes effective with the 2021-2022 school year. School divisions have flexibility on the specific type of specialized student support positions employed or contracted to meet the 3:1000 ratio. School divisions should consider the unique needs of their students and the support needed to implement a comprehensive student support program that addresses barriers to learning for all students.

WHAT ARE SPECIALIZED STUDENT SUPPORT POSITIONS?

Specialized Student Support personnel are non-classroom educators who work with students, teachers, school support staff, administrators, families, and other education stakeholders to help students thrive. They provide school-based physical, social, emotional and mental health prevention, intervention, and follow-up services to address barriers to educational success, ensure positive conditions for learning, and help all students achieve academically.

Specialized Student Support personnel are available to provide direct services for all school children and youth to help maintain and promote mental and physical health and intervene when related challenges create barriers to learning. Direct services are provided by means such as education, counseling, consultation, and individual assessment. In addition, Specialized Student Support personnel provide in-service training, parent education, community collaboration and carry out student service program management. Specialized Student Support personnel are a vital part of comprehensive school program success.

For purposes of meeting subsection O in the Standards of Quality, Specialized Student Support personnel includes but is not limited to school social workers, school psychologists, school nurses, licensed behavior analysts, and licensed assistant behavior analysts.

The 2020 General Assembly passed [House Bill 1143](#), which addressed the use of Licensed Behavioral Analysts (LBAs) and Licensed Assistant Behavioral Analysts (LABAs) employed by local school boards. While this bill does not require school divisions to employ LBAs or LABAs, it is permissive and provides clarity that these positions can be supported through local plans to meet the Standards of Quality (SOQ). These positions also qualify as Specialized Student Support personnel under the new 2021 legislation and appropriation.

According to subsection O in the Standards of Quality, Specialized Student Support positions may also include “other licensed health and behavioral positions, which may either be employed by the school board or provided through contracted services.”

WHAT CONSTITUTES “OTHER LICENSED HEALTH AND BEHAVIORAL POSITIONS?”

The [Senate Bill 1257](#) allows for “other licensed health and behavioral positions” to be hired or contracted by the school division to meet the 3:1000 ratio for specialized student support positions. SB 1257 does not specify type of license other than it being related to health and behavioral services. In addition to the licensed personnel named in the Code language, other licensed personnel that may be employed or contracted based on the unique needs of the school division could include, but are not limited to:

- Licensed clinical psychologist or licensed school psychologist licensed by the Board of Psychology;
- Licensed clinical social worker (LCSW) licensed by the Board of Social Work;
- Licensed professional counselor (LPC) licensed by the Board of Counseling;
- Psychiatric clinical nurse specialist (CNS) licensed by the Board of Nursing and certified by the American Nurses Credentialing Center;
- Licensed marriage and family therapist (LMFP) licensed by the Board of Counseling;
- Licensed Registered Nurse (RN);
- Licensed Practical Nurse (LPN) under the supervision of a RN as required by the Virginia Board of Nursing; and/or
- Licensed Mental Health Professional (LMHP), as defined by [12VAC35-105-20](#).

There are a number of Boards that license these positions in Virginia, but not all licensed professionals may serve in a Specialized Student Support position or role. It is recommended that the school division consult with their local school board attorney for questions related to other licensure types for meeting this requirement.

Specialized health and behavioral student support positions such as “behavior interventionist,” “social emotional learning specialist,” etc. may be used to meet the 3:1000 staffing requirement, as long as such position requires a Virginia license in a health or behavioral health field.

Additionally, it should be noted that the intention of the funding is to provide additional capacity for direct student services. Therefore, funds should be used to support positions that are primarily student facing and should not be used to support individuals who have qualifying credentials but are solely fulfilling administrative duties.

STANDARDS OF QUALITY AND FUNDING FOR POSITIONS

Senate Bill 1257 created a new personnel category in the Standards of Quality (SOQ) for specialized student support positions. As an SOQ-funded position category, divisions will receive the state share of funding for these positions at the 3:1000 ratio as part its appropriation via Basic Aid.

For the purposes of calculating Full-Time Equivalence (FTE) for contracted personnel, school divisions should use total annual work hours of all contracted personnel providing direct services, and divide it by the total annual work hours of the most common Specialized Student Support position.

RESOURCES

- Virginia Department of Education [Licensure in Virginia](#) webpage.
- [Guidelines for the Provision of Behavior Analysis in Public Schools](#), Guidelines released in response to *Code of Virginia* § 22.1-273.4 (House Bill No. 1722).