



General Assembly

Amendment

February Session, 2010

LCO No. 3936

HB0542503936HDO

Offered by:

REP. FLEISCHMANN, 18th Dist.

REP. LYDDY, 106th Dist.

REP. ABERCROMBIE, 83rd Dist.

To: Subst. House Bill No. 5425

File No. 433

Cal. No. 218

"AN ACT CONCERNING SPECIAL EDUCATION."

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- 1 In line 25, bracket "four" and after the closing bracket insert "five"
- 2 In line 26, after "council" insert ", one appointed by the speaker of
- 3 the House of Representatives"
- 4 Strike section 2 in its entirety and insert the following in lieu thereof:
- 5 "Sec. 2. (NEW) (*Effective July 1, 2010*) (a) On and after July 1, 2012, a
- 6 local or regional board of education that is responsible for providing
- 7 special education and related services to a child, pursuant to section
- 8 10-76a of the general statutes, shall provide applied behavior analysis
- 9 services to any such child with autism spectrum disorder if the
- 10 individualized education plan or plan pursuant to Section 504 of the
- 11 Rehabilitation Act of 1973 requires such services. (1) Such services shall
- 12 be provided by a person who is, subject to the provisions of subsection
- 13 (b) of this section, (A) licensed by the Department of Public Health or

14 certified by the Department of Education and such services are within
15 the scope of practice of such license or certificate, or (B) certified by the
16 Behavior Analyst Certification Board as a behavior analyst or assistant
17 behavior analyst, provided such assistant behavior analyst is working
18 under the supervision of a certified behavior analyst. (2) A teacher or
19 paraprofessional may implement the individualized education plan or
20 plan pursuant to Section 504 of the Rehabilitation Act of 1973
21 providing for such applied behavior analysis services, provided such
22 teacher or paraprofessional is under the supervision of a person
23 described in subdivision (1) of this subsection. For purposes of this
24 section, "applied behavior analysis" means the design, implementation
25 and evaluation of environmental modifications, using behavioral
26 stimuli and consequences, including the use of direct observation,
27 measurement and functional analysis of the relationship between the
28 environment and behavior, to produce socially significant
29 improvement in human behavior.

30 (b) If the Commissioner of Education determines that there are
31 insufficient certified or licensed personnel available to provide applied
32 behavior analysis services in accordance with the provisions of
33 subsection (a) of this section, the commissioner may authorize the
34 provision of such services by persons who: (1) Hold a bachelor's
35 degree in a related field; (2) have completed (A) a minimum of nine
36 credit hours of coursework from a course sequence approved by the
37 Behavior Analyst Certification Board, or (B) coursework that meets the
38 eligibility requirement to sit for the board certified behavior analyst
39 examination; and (3) are supervised by a board certified behavior
40 analyst.

41 (c) Nothing in this section shall be construed to require the inclusion
42 of applied behavior analysis services in an individualized education
43 plan or plan pursuant to Section 504 of the Rehabilitation Act of 1973."