

**Connecticut State Department of Education**  
**Explanation for the CSDE's support for Bill 1105 (March 6, 2011)**

The Connecticut State Department of Education supports that school personnel should serve in a supervisory role of school personnel or other personnel providing applied behavior analysis skills to children in schools. Individuals who are working in schools are either employees of the board of education or externally contracted for services by the board of education by law must be under the supervision of school administrators. Ultimately, **the district administration is responsible and accountable for the safety and education of the children in their charge and, therefore, should be the responsible party for supervising all individuals working within the schools.**

In the case of an individual certified by the Behavior Analyst Certification Board (BACB), this individual would either be employed by the school district to serve in a state certified/licensed position OR would be a contract employee of the district. If the person is not serving in the district under a state certification/license (such as a special education teacher, school psychologist or speech and language pathologist) then the person is under a contract to provide applied behavior analysis (ABA) services to a child in the district. If externally contracted, the district should be responsible for supervising this individual, as this individual would be working with children who have been placed under the care of school administration. Additionally, this individual who does not have a state certification or license to work in CT schools, will be working in the schools with children under a credential that is granted by a nonprofit corporation rather than a recognized accredited college or university which has an approved plan of study and practicum accepted by the state of Connecticut.

A person with a master's degree (in any field, it does not have to be education or human services) who completes this nonprofit corporation's coursework (typically 4-5 courses equaling 15 credit hours) and who completes a 1500 hour internship with 75 hours of direct supervision by a Board Certified Behavior Analyst (BCBA) are eligible to take the national board exam and, if passed, are awarded the credential of Board Certified Behavior Analyst (BCBA) by the nonprofit corporation. Persons with an undergraduate degree (in any field) who complete the approved coursework and complete 1000 hours of internship experience and 50 hours of direct supervision can sit for the board exam and be awarded the credential of Board Certified Assistant Behavior Analyst (BCaBA). The 1500/1000 hours of internship need not be in education, it need not be with children, it can be in any setting in which ABA is utilized, such as industry. The person contracted or employed by the board of education who must complete the supervised internship hours for the BCBA credential must identify and establish an agreement with someone who holds BCBA credential to provide them with this supervision. This is not the responsibility of the board of education but of the individual seeking the BCBA credential. There are no recognized affiliations which these intern supervisors need to have, they do not have to be working in an education field, they do not have to have had any experience with children and could be working in an industry setting or not employed at all. The supervisory language added to this bill is to assure that school administration assume the responsibility of assuring the safety and legitimate education of the children to whom these individuals will be providing services.

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**Earning this credential does not ensure that the person with the credential has any background or experience with education, children, or Autistic Spectrum Disorders.** In addition, a person with a BCaBA credential must continue to work under the supervision of a BCBA in order to maintain their credential as a requirement of the BACB.

The credential awarded by the BACB refers to national certification using the standards set forth by the BACB does not lead to certification through the Department of Education or licensure through the Department of Public Health.

**Therefore, as these individuals have not received schooling and credentials recognized by the state of Connecticut to serve children in the state's public schools, the Department of Education believes these individuals, as should any personnel providing services to children in CT schools, be supervised by school administration, as they are held responsible and accountable for the safety and education of the children in their charge.**

**Rationale for technical amendment:**

**The rationale behind the proposed technical amendment was two-fold. First, the original language conflicts with current regulations that stipulate that persons who are providing direct services to students are supervised by an educator who holds an intermediate administrator certificate awarded by the Department of Education. Second, the original language lacked specificity as to who, in addition to those with a credential through the BACB, could provide applied behavior analysis services to students.** This has led to some confusion on the part of both districts and parents as to who may provide such services.

The proposed language clarifies that 1) those persons who hold the BCBA or BCaBA credential must be supervised by an evaluator holding an intermediate administrator certificate if working within an educational setting, and 2) persons who are appropriately certified through the Department of Education or licensed through the Department of Public Health AND whose scope of practice includes the provision of applied behavior analysis services, such as (but not limited to) school psychologists, speech pathologists, special educators or clinical psychologists, may provide such services to children in addition to those who are credentialed through the BACB but who may not hold current certification or licensure by the DOE or DPH. Planning and Placement Teams make the decision regarding who is the most appropriate person to provide such services to each individual child. In addition, the bill includes a provision for servicing when there are insufficient certified or licensed individuals to provide behavior analysis services, provided those persons are supervised by an evaluator holding an intermediate administrator certificate.