



S E A C
Special Education Advisory Council

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March 21, 2016

**Special Education
Advisory Council**

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to the military*

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Representative Della Au Belatti, Chair
Committee on Health

Representative Angus L.K. McKelvey, Chair
Committee on Consumer Protection & Commerce
State Capitol
Honolulu, HI 96813

RE: SB 1311, SD2 - Relating to Education

Dear Chairs Belatti and McKelvey and Members of the Committee,

The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act (IDEA), **supports the intent of SB 1311, SD 2** that allows a licensed or credentialed educational practitioner to utilize behavior analysis principles and techniques without being licensed as a behavior analyst, provided the unlicensed individual's use of those techniques is limited to his or her recognized scope of practice.

However, given the confusion over the changing language in this bill, SEAC's support is contingent on the following stipulations:

- 1) When Applied Behavioral Analysis (ABA)--an evidence-based intervention for students with autism and other developmental disabilities--is included in a student's Individualized Education Program, Act 199 requires that it be provided by individuals who are trained and licensed as behavior analysts or registered behavior technicians (RBTs) working under the supervision of a licensed analyst; and
- 2) Given the current reported lack of capacity in the Department of Education to deliver ABA services and the potential disruption in services to students with autism, the Department shall be given until July 1, 2017 to come into compliance with Act 199.

Thank you for the opportunity to provide testimony on this legislation. If you have questions or concerns, please contact me.

Respectfully,

Martha Guinan, Chair