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SENATE BILL NO. 96
Offered January 10, 2024
Prefiled January 2, 2024

A BILL to amend the Code of Virginia by adding a section numbered 22.1-215.3, relating to special education; Parental Behavior Technician Registration and Participation Pilot Program; established.

Patron—Stanley

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-215.3 as follows:

§ 22.1-215.3. Parental Behavior Technician Registration and Participation Pilot Program.

A. As used in this section:

"Applied Behavior Analysis" or "ABA" means the same as in § 38.2-3418.17.

"Registered behavior technician" or "RBT" means a paraprofessional who works in the field of Applied Behavior Analysis under the supervision of a board certified or licensed behavior analyst to provide direct services to individuals with autism spectrum disorder or other developmental disabilities.

B. The Parental Behavior Technician Registration and Participation Pilot Program (the Pilot Program) is established for the purpose of assisting eligible parents of students with autism spectrum disorder (ASD) in becoming a registered behavior technician in order to provide assistance to his child in the classroom as a volunteer under the supervision of a licensed behavior analyst, licensed pursuant to § 54.1-2957.16, or other qualified ABA individual and outside the classroom in a home environment. Any parent of a child with ASD who is enrolled in a public school in the Commonwealth and receives special education shall be eligible to participate in the Pilot Program. The Pilot Program shall assist any eligible parent by:

1. Assisting the eligible parent with meeting the requirements to receive an RBT credential, including helping such parent meet the eligibility criteria, providing such parent with the resources to complete the required 40-hour RBT training course, assisting such parent with the RBT certification application process, and providing support in completing the RBT Competency Assessment; and

2. Coordinating with the school board of the school division in which the child of an RBT-credentialed parent is enrolled to set up a volunteer position for the parent to provide assistance as an RBT in his child's special education program under the supervision of a licensed behavior analyst or other qualified ABA individual.

C. The Board of Education, in collaboration with the Department of Health and the Advisory Board on Behavior Analysis, shall develop and administer the Pilot Program. In developing and administering the Pilot Program, the Board, in collaboration with the Department of Health and the Advisory Board on Behavior Analysis, shall:

1. Develop any policies and procedures as deemed necessary for the administration of the Pilot Program;

2. Develop and distribute to each participating school board administrative guidance materials relating to the purpose and functions of the Pilot Program; and

3. Develop and distribute to each participating school board informational materials relating to the Pilot Program for parents of students with ASD and who receive special education in the local school division.

D. Funds appropriated for the at-risk add-on or for support services from basic school aid, pursuant to subsection P of § 22.1-253.13:2 may be used to meet the requirements of this section.

2. That the provisions of this act shall expire on July 1, 2027.

3. That the Board of Education shall report annually to the Governor and the General Assembly by October 1 of each year for the duration of the Parental Behavior Technician Registration and Participation Pilot Program (the Pilot Program) on the progress of the Pilot Program established pursuant to this act.

INTRODUCED

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