

9/21/16

Committee Members,

I believe we all agree that early intervention and ABA services for students with special needs is imperative for the success of our students in Nevada. However, we feel that a better way to approach the school districts and the Commissioners is to present a comprehensive plan detailing the services we would like to provide to the school districts. We feel we need to convey to the board and the school districts that we can support them with their most challenging students in the school setting and provide ABA services to the pre-kindergarten students to prevent behavior concerns in the future. Research shows early intervention is key to future success.

Since resources are limited in rural Nevada and so are funds to train staff, we need to emphasize that not only will we support the districts, but ABA specialists in the school setting are also an excellent modeling and learning opportunity for staff, administration, and paraprofessionals.

That being said, we have a few concerns regarding the wording and/or content of the letter.

- a. Require the school to support access to ABA by endorsing the following or similar language on the IEP. “The IEP recognized the student’s need to receive medical necessary treatment, which may impact full-time school attendance. An adjusted schedule is supported to allow student to receive treatment. Treatment, which may occur in and /or outside of the school environment without incurring truancy.”

We can adjust time and setting to reflect the students school day. NRS 392.130, NRS 392.122 specify that absences need to be addressed with the principal and teacher and can then be excused. Absences are counted as truancy only when there is no communication regarding the absences by the parent to the school. If the absence is previously discussed with administration and a written excuse from a doctor, therapist, etc. is provided then the absences is considered “excused.”

- b. The IPE should be required to specific the number of weekly ABA hours needed by the student. With a distinction between the hours to be provided in school and out of school.

We do not specify time in and out of school for outside therapy not provided by the school. By placing this into the IEP the school district is then responsible for the listed therapy and not the outside provider. If the provider leaves, the school district would still be responsible for the therapy. The way that the IEP states time is by subject or area of need (math, behavior, communication, etc.).

- c. The IEP would specify therapy across all environments based on medical necessity in the least restrictive environment in a community-based setting.

IDEA requires LRE (least restrictive environment). The district does not need to specify this in the IEP. In the area where time is specified it will ask for location of services and “school wide” and “community” are both listed. The school district writes justification services that may be outside of the general education setting due to needs.

d. Specify the credentials required of an ABA professional who assists in determining the total weekly ABA hours needed by the student. Credentials must be consistent with credentials outlined by the BCBA.

e. Require collaboration for ABA services to maximize their effectiveness to ensure continuity of services across environments.

Replace require for “Based on research and best practices”.

f. Require the school to encourage a parent, through written communication from the school, to invite the student’s outside ABA Professional(s) to participate in relevant IEP meetings.

Remove this point from the letter. Prior written notices are sent to the parent which notifies the parent that they have a right to invite persons who have knowledge or special expertise regarding their child to participate as a member of the student’s IEP committee.

g. Allowing a student’s out-of-school ABA Professional (i.e. BCBA, Licensed Psychologist) (who is funded privately, through private insurance, Medicaid, or ATAP and who passes appropriate background checks) to observe the student in the school environment quarterly and/or allowing such a provider to support the student during the school day if the student’s behavior impedes learning or if the student’s history includes elopement, suspension, or aggression.

Possibly highlight what outside providers are able to do to assist the student and school.

- Allow access into the school setting to provide services that may not be available as a 1:1 situation. Increasing recommended intervention time for students which may also lead to greater skill acquisition over a shorter period of time.
- Allows providers to give services in the school setting with same aged peers and during social situations.
- Services Provider will have all necessary credentials and licensing
- Developed contract between the school and providers that will outline services, conducted in the school setting, and the school district’s ability to sever ties with a provider if they do not adhere to federal and state guidelines in the school setting. We need to specify the outside provider’s obligation to provide the services and not the school district. The school district is providing the environment.
- School district employees are present during interventions and can therefore benefit by observing strategies.
- Goals addressed by the service plan are similar to goals in the students’ IEP. Therefore, an outside providers services would not reduce from the time allocated in the IEP’s-SDI (specifically designed instruction). This would increase the likelihood of consistent and evidence-based interventions.