

Honolulu, Hawaii

FEB 08 2021

RE: S.B. No. 805
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Education, to which was referred S.B. No. 805 entitled:

"A BILL FOR AN ACT RELATING TO THE PRACTICE OF BEHAVIOR ANALYSIS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Make the exemption from the behavior analyst licensing requirements permanent for certain teachers working in collaboration with a licensed behavior analyst or licensed psychologist;
- (2) Clarify exemptions from licensure as a behavioral analyst for general education teachers, direct support workers, special education teachers, and teacher trainees working in collaboration with or under the supervision of licensed professionals; and
- (3) Exempt licensed special education teachers and individuals in approved and accredited special education training programs who are working toward licensure as special education teachers whose scope of practice and training includes applied behavior analysis.



Your Committee received testimony in support of this measure from the University of Hawai'i System, Hawai'i Psychological Association, Special Education Advisory Council, and five individuals. Your Committee received testimony in opposition to this measure from the Hawaii State Teachers Association, Autism Behavior Consulting Group Hawaii, and five individuals. Your Committee received comments on this measure from the Department of Education, Together For Our Keiki, Hawaii Association for Behavioral Analysis, Hawaii Disability Rights Center, Horizons Academy, and twenty-three individuals.

Your Committee finds that many students enrolled in public schools would benefit from the expansion of behavior analysis services throughout Hawaii's public school system. However, under existing law, there is a deadline after which teachers will no longer be allowed to implement these services. This measure ensures that teachers will be able to continue to implement these services in direct collaboration with a licensed behavioral analyst or licensed psychologist.

Your Committee has amended this measure by:

- (1) Deleting language that would have exempted from licensure a licensed special education teacher and an individual who is working toward licensure as a special education teacher and who is enrolled in a state-approved and nationally-accredited special education teacher preparation program that includes training in behavior analysis assessment and interventions; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 805, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 805, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.



Respectfully submitted on
behalf of the members of the
Committee on Education,



MICHELLE N. KIDANI, Chair



