# Superintendent’s Memo #321-20

[](http://www.doe.virginia.gov/administrators/index.shtml)  
**COMMONWEALTH of VIRGINIA   
Department of Education**

DATE: December 11, 2020

TO: Division Superintendents

FROM: James F. Lane, Ed.D., Superintendent of Public Instruction

## SUBJECT: Guidelines for the Provision of Behavior Analysis in Public Schools

The 2020 General Assembly of Virginia enrolled House Bill 1722 adding a section numbered *22.1-273.3* to the *Code of Virginia* requiring,

*“the**Department of Education to develop guidance and resources relating to the provision of applied behavior analysis services (ABA services) in public schools for students who are in need of such services.*”

On November 16, 2020 the Department of Education published *[Guidelines for the Provision of Behavior Analysis in Public Schools](https://www.doe.virginia.gov/special_ed/tech_asst_prof_dev/topic_specific_resources/index.shtml),* which provides information and guidance on the following topics.

* Applied Behavior Analysis
* Determining the need and appropriateness of providing ABA services for students during the school day
* Considerations for school boards regarding management and monitoring of personnel who provide ABA services in public schools
* Financial responsibilities related to hiring and retaining personnel who are not employed by the school board who provide ABA services in public schools
* Developing agreements between school divisions, providers, and families
* Utilizing Licensed Behavior Analysts employed by the school board to provide ABA services
* Considerations for private providers who wish to provide services in public schools
* Working collaboratively

Additionally, a statewide network of behavior analysts serving in public schools held its first professional development event on November 19-20, 2020. This network provides opportunities for behavior analysts to collaborate and receive professional development from their colleagues as well as share information related to job responsibilities, best practices, and capacity building.

If you have questions or need additional information, please contact Daniel Irwin at   
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JFL/di