

Private Instructional Personnel (PIP) Registered Behavior Technician (RBT) Questions and Answers

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Section I

Packet Questions

- 1. Once the PIP/RBT packet is reviewed and accepted, where is the packet to be maintained?**

Answer

A PIP/RBT packet is a student record. This packet is housed at the student's school and placed in the student's cum folder. The packet is not uploaded to ED Plan.

- 2. If a student moves from one school to another does the RBT need to complete a new packet?**

Answer

Any packets prior to November 2019, should be requested from the previous school. In the November 2019 updated parent packets, parents were informed that they must submit a copy of the previous packet, approved at the previous school.

- 3. If an RBT is an RBT for more than one school, does the RBT need to complete more than one packet?**

Answer

Yes, a packet is required for each student where services are being provided.

- 4. How many packets can be submitted for one student?**

Answer

There is no limit to the number of packets that can be submitted by a parent for a student.

- 5. If an employee of the District is a PIP and employs RBTs, are these individuals required to complete packets?**

Answer

Yes. All PIPs/RBTs seeking to work in the school setting must complete all required components of the packet.

- 6. Is there a turnaround time that the schools must respond to the RBT Packet?**

Answer

The approval process may take up to 30 school days. Any requests by administration for additional documentation may extend the timeline.

Section II

Badge/Security

7. Is it required for the vendor badge to explicitly state Private Instructional Provider?

Answer

No. A vendor badge is only obtained after Level 2 security clearance. If a provider has a vendor badge, this requirement has been met. A contractor badge or a BCPS NSU student badge is not sufficient.

8. Can an RBT/PIP forego the requirement to complete the Level 2 security clearance in Broward County Public Schools?

Answer

No. All individuals must complete the process in Broward which includes receiving a Level 2 screening and vendor badge issued by Broward County Schools.

9. Is the Behavioral Health Partnership the same as the PIP/RBT process?

Answer

No. The Behavioral Health Partners are cleared through the District and do not need to complete the PIP/RBT process. For more information on Behavioral Health Partnerships... http://bcps-esls.com/html/BHP_Provider_List.php

Section III

Observations/Services/Plan of Care

10. Who decides the schedule for the RBT/PIP in the school setting?

Answer

According to Florida Statue 1003.572 (3) (a) The student's public instructional personnel and principal consent to the time and place.

11. Are RBTs/PIPs allowed to service Gen Ed students?

Answer

No, Florida Statue 1003.572 applies only to students with an IEP.

12. What do you do if the RBT is taking pictures and videos in the school setting?

Answer

PIPs/RBTs have signed an agreement acknowledging that pictures, videos, and audio recordings are not allowed. Administration should meet with the RBT/PIP, address the concern and inform the provider that any future violation may result in rescission of access to provide services in the school. Utilize the rescission letter as appropriate.

13. Is there a limit of how many observations can be done by a PIP/RBT?

Answer

This statute, 1003.572 is in regard to collaboration of public and private instructional personnel. It is silent to the number of times, the number of days or anything specific regarding the scheduling of these services/observation. Schedules are determined by public instructional personnel and administration.

14. Does insurance billing/coverage determine a PIP/RBTs schedule?

Answer

No. This is between the principal and public instructional provider.

15. Can a PIP/RBT be present for State and/or District Testing?

Answer

PIP/RBTs will not be present for any state or district testing.

16. Are PIPs/RBTs allowed to attend field trips with the student?

Answer

Participation in field trips is at the principal's discretion. The amount of time, location of service, and schedule for the service is subject to agreement between the principal and public instructional personnel. It is suggested that if they are attending, the RBT/PIP should meet the student/class at the field trip location, cover the cost of their own ticket/admission/etc. and cannot be counted as a provider.

17. Can individuals who do not meet the criteria of PIP/RBT observe in the classroom setting?

Answer

Observations are possible outside of the PIP/RBT processes. The observations must follow the guidelines established in the BTU's collective bargaining agreement.

- 18. If a PIP has been approved and provide services on a school campus, is the school required to have a staff member present during the provision of services?**

Answer

No, the individual has been determined to meet the Level II clearance requirements and can be alone with the child in the school setting. However, an RBT must provide services where an SBBC staff member is present.

- 19. Does the principal have the right to designate a place where services are provided for PIPs/RBTs?**

Answer

It is the decision of the building administration to determine the schedule and location for where services are to be provided. There are services that would not be appropriate in the classroom. If the service is something where the student needs to be in their regular programming and the principal and teacher agree (such as behavior therapy), then the classroom might be the best location.

- 20. Can a PIP/RBT supplant student needs determined by the IEP team?**

Answer

Florida Statue 1003.572 (2) states: The collaboration of public and private instructional personnel shall be designed to enhance but not supplant the school district's responsibilities under the Individuals with Disabilities Education Act (IDEA). The school as the local education agency shall provide therapy services to meet the expectations provided in federal law and regulations and state statutes and rules. Collaboration of public and private instructional personnel will work to promote educational progress and assist students in acquiring essential skills, including, but not limited to, readiness for pursuit of higher education goals or employment. Where applicable, public and private instructional personnel shall undertake collaborative programming. Coordination of services and plans between a public school and private instructional personnel is encouraged to avoid duplication or conflicting services or plans.

The reason why this is a part of the packet is so that schools are not moving a need that a student has that should be provided as our obligation to provide FAPE to a private provider. This is not in any way to replace our educational obligations to meet the student's unique needs. The principal has to sign off on this so that the team has ensured that the request from the parent is not based on student need but rather parent request.

- 21. Do parents of children NOT receiving PIP/RBT services have the right to restrict a PIP/RBT from coming into their child's classroom?"**

Answer

No. However, if services provided to another student becomes disruptive, administration must address the concern.

- 22. Individuals can cause a disruption if it not part of the classroom routine. What are the guidelines for this?**

Answer

If services become a disruption, administration must address the concern.

- 23. Must the child have behavior goals or a PBIP in order for a BCaBA/RBT therapist to be able to provide services?**

Answer

No. It is not mandatory for a student to have a PBIP and/or behavior goals. However, it is a time to look at the student to see if the child is exhibiting behavior concerns within the school setting. If the child is, this should be addressed.

24. Why is it critical to receive private plans of care and/or behavior plans?

relevant section of the statute below.

Answer

Florida Statute 1003.572 Collaboration of Public and Private Instructional Personnel:

(2) The collaboration of public and private instructional personnel shall be designed to enhance but not supplant the school district's responsibilities under the Individuals with Disabilities Education Act (IDEA). The school as the local education agency shall provide therapy services to meet the expectations provided in federal law and regulations and state statutes and rules. Collaboration of public and private instructional personnel will work to promote educational progress and assist students in acquiring essential skills, including, but not limited to, readiness for pursuit of higher education goals or employment. Where applicable, public and private instructional personnel shall undertake collaborative programming. Coordination of services and plans between a public school and private instructional personnel is encouraged to avoid duplication or conflicting services or plans.

The last two sentences clearly states that programming should be collaborative and encourages that this collaboration can avoid duplication or conflicting services OR plans. Collaboration cannot occur without sharing plans.

25. Can an RBT begin to work in a school without an FBA/PBIP where behavior is addressed through goals?

Answer

The RBT (or supervising Behavior Analyst) must provide the school with the plan that they will be implementing in the school in order for us to determine if it is in alignment with/does not contradict the behavior goals/strategies that the school is implementing and in order for their packet to be approved. No PIP/RBT can begin to work with a child in the school setting during instructional time without collaboration about what it is they will be doing with the child and what the teacher can expect to see in the classroom, etc...

Parents may request and complete a packet for students who do not currently have an FBA/PBIP. School staff should discuss and confirm that there is not a need to address behavior by school staff (check to see if there are goals, observe in the classroom to see the teacher has a "defacto" behavior plan in place that should be formally written). If there is a need, the school must initiate a reeval, evaluate for an FBA and consider the need to add behavior goals to the IEP. However; there are times when there are no concerns in the school setting, there are no behavior goals and there is no FBA/PBIP. In these instances, if the parents request, a PIP/RBT can provide support in the school setting.

26. Are Program Specialists for Behavior reviewing RBT Packets for students who do not have a school based FBA/PBIP?

Answer

Program Specialists for Behavior are not reviewing packets but rather private and school-based behavior plans. The responsibility to review packets rests with the school administration. Program Specialists for Behavior should review all plans of care even if the student does not have an FBA/PBIP in EDPlan to ensure that the private plan is appropriate to be implemented in the school setting. The Program Specialist for Behavior will review the private plan and determine any portions that will require further discussion with school staff prior to implementation. When there is a request for a PIP/RBT and the student does not have a school-based plan, the team should consider if there is a need to develop a school plan.

27. Are RBTs allowed to be supervised under a Marriage and Family Counselor?

Answer

No. RBTs must be supervised by a BCBA or a BCaBA.

28. Prior to developing a PBIP for home, can a BCBA come into the schools to conduct trials in order to collect data, to use in the development of a PBIP?

Answer

Given that the statute allows for observations, if they have completed a packet, they should be able to come in to observe and collect data. Any data collected must be shared with the school.

29. How often is a Plan of Care reviewed?

Answer

A Plan of Care/Behavior Intervention Plan will be shared with the school upon submitting the application and whenever a change(s) is/are made to the plan. The school must collaborate with the ESLS Program Specialist for Behavior to ensure that private and school-based PBIPs are aligned and there are no anticipated conflicts between the plans. If it is not approved, the Plan of Care must be revised and submitted for review.

30. How is the RBT data being provided to the school?

Answer

Each school-based team must establish a plan and system to obtain data collected by the RBT/PIP in the school setting.

31. Prior to Senate Bill 1108, private providers were allowed to observe a student in a classroom in accordance with the teacher contract. Does this legislation replace the current practices for observation?

Answer

No, parents have always been entitled to request an observation through school-based administration in accordance with the teacher contract guidelines. Parents may still utilize this process for observations. However, if the parent is requesting ongoing observations, collaboration and provision services of ESE students by a PIP, they must complete the application process. Private Providers, who have completed the application process and have been approved, will not be required to be escorted by a school board employee while they are on campus and will be allowed to work with the child alone.

32. Is the school required to provide the PIP/RBT materials to work with the student?

Answer

No, it is the responsibility of the PIP/RBT who is being paid by the parent to bring any materials needed while working with the student on the school campus. However, a PIP/RBT may utilize classroom instructional materials while working with the student in the classroom.

33. If the parent completes the application process for a PIT/RBT and coordinates with administration to provide services in the school setting, are these services addressed on the IEP?

Answer

No, privately provided services that the IEP team has not determined to be needed for the student to receive a Free Appropriate Public Education are not recorded on the IEP. It is important for IEP teams to ensure that a student receives the services needed to make meaningful progress. The only services recorded on the IEP are the services provided by school district staff.

34. Will the District billing for Medicaid impact the private provider's ability to bill Medicaid for the services that they provide?

Answer

No. The District delays billing Medicaid for the services it provides by several weeks in order to allow private providers to bill and get paid first. Medicaid will not pay for duplicate services on the same day (two speech or language services, for example). Therefore, it is in the District's and private provider's best interest to collaborate on scheduling to try to avoid duplicate services being delivered on the same days of the week.

Section IV

Aftercare

35. Can PIPs/RBTs provide services during before and after-school programs?

Answer

- a. For District operated before and after-school programs. There is no requirement to allow PIP/RBTs to provide services during before and/or after-school programs. However, School Principals are in charge of the before and after school programs located on their individual campuses, therefore if the Principal agrees to allow a PIP/RBT to provide services during these programs, it is permissible. Parents and PIP/RBTs would have to complete the same application, Level 2 clearance, etc. to provide services during before and/or after school programs operated by the District as they would if they provided services during the school day.
- b. For before and after school programs operated by a community agency. This legislation is regarding collaboration between a school district and PIP/RBTs paid by the parent and does not reference before and after school programs. Therefore, it would be the decision of a community agency who is operating the before and after school programs to allow or not allow a PIP to provide services during their programs. The District or individual school would not be involved with this decision. The community agency would follow their contract with the District regarding having additional individual on campus during before and after school programs.

Section V

COVID-19

36. Will PIPs/RBTs be permitted to collaborate with public school instructional personnel and provide services on school campuses when instruction resumes in the brick and mortar setting?

Answer

Due to the current COVID-19 pandemic, access to classrooms on school campuses for district staff as well as private instructional providers has been suspended. Once conditions stabilize, collaboration between public and private instructional providers may resume and schools will be updated when this happens. At this time, all PIPs and RBTs may not be permitted on school campuses in the classrooms.

37. Will 2019-2020 PIP/RBT approved packets be accepted for the 2020-2021 school year?

Answer

Due to the current COVID-19 pandemic, the PIP/RBT packet submitted and approved for the 2019-2020 school year will continue to be approved for the 2020-2021 school year upon receipt of the following documents:

- A COVID-19 PIP/RBT Acknowledgement Form signed by the PIP/RBT and the parent(s)
- A current copy of a vendor badge for the individual on the approved 2019-2020 PIP/RBT packet
- A current copy of the PIP/RBT licensure and/or certification
- A current copy of the private behavior plan, as applicable
- A current Authorization for Release of Information signed by the parent for the PIP/RBT to communicate with school staff

38. If a new RBT is working with a student for the 2020-2021 school year but the supervising PIP from 2019-2020 is the same, is a new packet required?

Answer

The RBT must complete a new packet and the supervising PIP needs to sign the RBT Packet's required documents. The PIP must follow the guidelines stated in #37 above.

39. If there is a public health concern will schedules be adjusted?

Answer

Yes, schedules will have to be adjusted to meet the required public health guidelines.

40. Can a schedule be limited or changed?

Answer

Yes, capacity and social distancing limits must be followed.

41. Will a PIP/RBT be required to wear a mask?

Answer

Yes, per Policy 2170-E (Face Coverings): Subject to the exception set forth below, each student, employee, visitor, vendor or other person are always required to properly wear a face covering while at or inside a school/facility, or other vehicle owned, leased or operated by The School Board. Proper wearing of a face covering, should cover both the nose and the mouth of the person and should fit snugly against the sides of the person's face with no gaps.