

# SENATE BILL 570

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By: **Senators Bates, Klausmeier, Robinson, Salling, and Smith**

Introduced and read first time: January 31, 2018

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vision Disorders – Requirements for Student Screening – Revisions**

3 FOR the purpose of requiring a vision screening provided to certain students in public  
4 schools to include the administration of a screening for possible symptoms of certain  
5 vision disorders; requiring screenings to be given in certain years to certain students  
6 unless evidence is presented that the student has been tested by certain doctors or  
7 screened for the symptoms of certain vision disorders; requiring the results of a  
8 certain screening for vision disorders to be made part of a certain record, given to the  
9 parents or guardians of certain students with certain educational materials, and  
10 reported to certain entities; requiring a specific notice be sent to the parents or  
11 guardians of certain students who fail a certain screening; requiring a parent or  
12 guardian to report, on a certain form, to certain entities on the recommended services  
13 received by a student who may have possible symptoms of a vision disorder;  
14 requiring the county board of education or the county health department to report to  
15 the Maryland Department of Health the results of screenings for the symptoms of  
16 vision disorders; exempting a student whose parent or guardian objects to a certain  
17 vision screening on certain grounds from taking the screening; and generally relating  
18 to student screening requirements for vision disorders.

19 BY repealing and reenacting, with amendments,  
20 Article – Education  
21 Section 7–404  
22 Annotated Code of Maryland  
23 (2014 Replacement Volume and 2017 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
25 That the Laws of Maryland read as follows:

26 **Article – Education**

27 7–404.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) (1) (I) Each county board or county health department shall provide  
2 hearing and vision screenings for all students in the public schools.

3 (II) 1. A VISION SCREENING SHALL INCLUDE THE  
4 ADMINISTRATION OF A SCREENING THAT IS DESIGNED TO DETECT POSSIBLE  
5 SYMPTOMS OF VISION DISORDERS.

6 2. A SCREENING FOR VISION DISORDERS SHALL  
7 INCLUDE, AT MINIMUM, SCREENING FOR SYMPTOMS OF THE FOLLOWING VISION  
8 DISORDERS:

9 A. ACCOMMODATIVE DYSFUNCTION;

10 B. AMBLYOPIA;

11 C. ANISOCORIA;

12 D. ANISOMETROPIA;

13 E. ASTIGMATISM;

14 F. CONVERGENCE INSUFFICIENCY;

15 G. HYPEROPIA;

16 H. MYOPIA;

17 I. NYSTAGMUS;

18 J. OCULOMOTOR DYSFUNCTION; AND

19 K. STRABISMUS.

20 (2) Each county health department shall provide and fund hearing and  
21 vision screenings for all students:

22 (i) In any private school that has received a certificate of approval  
23 under § 2–206 of this article; and

24 (ii) In any nonpublic educational facility in this State approved as a  
25 special education facility by the Department.

26 (b) (1) Unless evidence is presented that a student has been tested BY AN  
27 OPTOMETRIST OR OPHTHALMOLOGIST OR SCREENED FOR THE SYMPTOMS OF

1 **VISION DISORDERS UNDER SUBSECTION (A)(1)(II)2 OF THIS SECTION** within the past  
2 year, the screenings required under subsection (a) of this section shall be given in the year  
3 that a student enters a school system, enters the first grade, and enters the eighth or ninth  
4 grade.

5 (2) Further screening shall be done in accordance with:

6 (i) The bylaws adopted by the State Board; or

7 (ii) Policies adopted by a county board or a county health  
8 department.

9 (c) (1) The results of the hearing and vision screenings **AND SCREENING FOR**  
10 **POSSIBLE SYMPTOMS OF VISION DISORDERS** required by this section shall be:

11 [(1)] (I) Made a part of the permanent record file of each student;

12 [(2)] (II) Given to the parents **OR GUARDIANS** of [any] **EACH** student  
13 [who fails the screenings] **WITH EDUCATION MATERIALS THAT INCLUDE THE**  
14 **FOLLOWING:**

15 1. **A DISCLAIMER THAT A VISION SCREENING IS NOT A**  
16 **SUBSTITUTE FOR A COMPREHENSIVE EYE EXAM PERFORMED BY AN OPTOMETRIST**  
17 **OR OPHTHALMOLOGIST;**

18 2. **AN OVERVIEW OF THE SYMPTOMS OF VISION**  
19 **DISORDERS AND AN EXPLANATION OF THE POTENTIAL EDUCATIONAL IMPACT OF**  
20 **UNTREATED VISION DISORDERS; AND**

21 3. **A LIST OF AT-RISK GROUPS THAT ARE ENCOURAGED**  
22 **TO HAVE A COMPREHENSIVE EYE EXAMINATION BY AN OPTOMETRIST OR**  
23 **OPHTHALMOLOGIST; and**

24 [(3)] (III) Reported to the county board or the county health department.

25 (2) **A SEPARATE NOTICE SHALL BE SENT TO THE PARENTS OR**  
26 **GUARDIANS OF A STUDENT WHO FAILS THE SCREENING FOR SYMPTOMS OF A VISION**  
27 **DISORDER THAT INCLUDES:**

28 (i) **NOTICE THAT THE RESULTS OF THE SCREENING INDICATE**  
29 **THAT THE STUDENT MAY HAVE A VISION DISORDER; AND**

30 (ii) **A DETAILED SUMMARY OF THE POTENTIAL VISION**  
31 **DISORDER THAT THE STUDENT MAY HAVE AND AN EXPLANATION OF THE IMPACT**  
32 **THE VISION DISORDER MAY HAVE ON THE STUDENT'S EDUCATIONAL**

1 **PERFORMANCE.**

2 (d) On a form provided by the county board or the county health department, a  
3 parent or guardian shall report to the county board or the county health department on the  
4 recommended services received by a student who failed the screenings **OR WHO MAY HAVE**  
5 **POSSIBLE SYMPTOMS OF A VISION DISORDER.**

6 (e) The county board or the county health department shall report to the  
7 Maryland Department of Health the results of the hearing and vision screenings **AND**  
8 **SCREENINGS FOR SYMPTOMS OF VISION DISORDERS** and, to the extent practicable, the  
9 number of students receiving the recommended services.

10 (f) In cooperation with the Maryland Department of Health, the Department of  
11 Education shall adopt standards, rules, and regulations to carry out the provisions of this  
12 section.

13 (g) A student whose parent or guardian objects in writing to hearing and vision  
14 screening **OR A SCREENING FOR SYMPTOMS OF VISION DISORDERS** on the ground that  
15 it conflicts with the tenets and practice of a recognized church or religious denomination of  
16 which he is an adherent or member may not be required to take these screenings.

17 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect July  
18 1, 2018.