



[Secular Coalition for Maryland](http://secular.org) Secular Coalition for
America <http://secular.org>

March 06, 2020

The Honorable Anne R. Kaiser
Ways and Means Committee
Room 130, House Office Building
Annapolis, MD 21401-1991

Re: SUPPORT WITH AMENDMENT HB1375 Public School Students - Vision Services and the
Vision for Maryland Program [Ways and Means]

Chairwoman and Members of the Committee:

The Secular Coalition for Maryland requests that this bill be amended to remove the counter-productive religious belief exemption from Education §7-404 (we support vision screening but are otherwise taking no position on this particular bill because it falls outside the scope of our primary goal of promoting more secular government).

Maryland provides hearing and vision screening for all students in the first year of public school entry, first grade, and eighth or ninth grade. However, Education §7-404 declares that parents can refuse a vision and hearing screening of their children by claiming a conflict with their religious beliefs. The main goal of vision screening is to identify children who have or are at risk of developing strabismus (crossed eye) and/or amblyopia (lazy eye), which can lead to permanent visual impairment unless treated in early childhood. Between 2 and 5% of the population in western countries have strabismus and/or amblyopia. Other problems that can be detected by vision screening include strabismus (eye misalignment), cataracts, glaucoma, ptosis (drooping eyelid), refractive errors such as myopia ("nearsightedness"), hyperopia ("farsightedness") and astigmatism, and other more serious conditions such as tumors or neurological diseases.

Other states, including our immediate neighbors Pennsylvania and West Virginia, do not have such a religious belief exemption. This unnecessary screening exemption is harmful to the health and welfare of children. Even mild deficiencies of sight can significantly affect a child's ability to learn. Some children will benefit from special education services because of a visual impairment. The U.S. Preventive Services Task Force recommends that all children between 3 and 5 years old be screened at least once for vision problems.

We also favor extending the vision and hearing screening mandate to all children without exemptions for children that attend a private school or receive home schooling. Other states require more extensive medical screening of more children than does Maryland. The Supreme Court's long standing jurisprudence on the duty of the State to the children under its protection places the interests of children over the free exercise of their parents; see *Prince v. Massachusetts*, 321 U.S. 158 (1944) (subjecting proselytization to child labor laws).

If Maryland is going to continue to allow childhood hearing and vision screening exemptions then the regulations should at least make it somewhat difficult to obtain an exemption. Require parents to listen to or watch medically accurate information about hearing and vision problems before being granted a belief exemption from screening for their children. Require that a parent provide a health history of their child and sign a statement indicating that to the best of the parent's knowledge and belief, their child is in satisfactory health and free from any hearing or vision problems. Require a notarized letter elaborating on the reason behind the exemption request, require a signature on a document discussing the safety risks, require renewals for each screening exemption, and impose meaningful penalties on anyone who violates these requirements.