

CHAPTER 427

(House Bill 653)

AN ACT concerning

Schools – Early Intervention – Hearing and Vision Screenings

FOR the purpose of altering a certain timeframe for when county boards of education and county health departments are required to provide hearing and vision screenings to certain students; authorizing certain screenings in accordance with certain policies; requiring county boards of education and county health departments to provide certain forms; requiring certain parents or guardians to report certain information; and generally relating to the provision of hearing and vision screenings in public schools, private schools, and nonpublic educational facilities.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–404
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

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

Article – Education

7–404.

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

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

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

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

(b) (1) Unless evidence is presented that a student has been tested within the past year, the screenings required under subsection (a) of this section shall be

given in the year that a student enters a school system, enters the [fourth, fifth, or sixth] **FIRST** grade, and enters the [ninth] ~~THIRD~~ **EIGHTH OR NINTH** grade.

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

(I) THE bylaws adopted by the State Board; **OR**

(II) POLICIES ADOPTED BY A COUNTY BOARD OR A COUNTY HEALTH DEPARTMENT.

(c) The results of the hearing and vision screenings required by this section shall be:

(1) Made a part of the permanent record file of each student;

(2) Given to the parents of any student who fails the screenings; and

(3) Reported to the county board or the county health department.

(D) ON A FORM PROVIDED BY THE COUNTY BOARD OR THE COUNTY HEALTH DEPARTMENT, A PARENT OR GUARDIAN SHALL REPORT TO THE COUNTY BOARD OR THE COUNTY HEALTH DEPARTMENT ON THE RECOMMENDED SERVICES RECEIVED BY A STUDENT WHO FAILED THE SCREENINGS.

[(d)] **(E)** The county board or the county health department shall report to the Department of Health and Mental Hygiene the results of the hearing and vision screenings and, to the extent practicable, the number of students receiving the recommended services.

[(e)] **(F)** In cooperation with the Department of Health and Mental Hygiene, the Department of Education shall adopt standards, rules, and regulations to carry out the provisions of this section.

[(f)] **(G)** A student whose parent or guardian objects in writing to hearing and vision screening on the ground that it conflicts with the tenets and practice of a recognized church or religious denomination of which he is an adherent or member may not be required to take these screenings.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.

Approved by the Governor, May 13, 2008.