

Chapter 401

(House Bill 1136)

AN ACT concerning

**~~County Boards of Education~~ – Student Hearing and Vision Screenings –
Reporting Requirements**

FOR the purpose of ~~requiring each county board of education to report to the Maryland Department of Health the number of students who did not receive recommended services after failing a hearing or vision screening and the reason why certain students did not receive certain services; requiring each county board to develop a certain strategy to increase the number of students receiving recommended services after failing a hearing or vision screening; requiring the county board to report on its progress in meeting certain goals to the General Assembly each year; requiring the Maryland Department of Health to review certain reports and, in certain counties, to coordinate with the county board or the county health department to implement measures to improve the number of students receiving certain services; and generally relating to reports on hearing and vision screenings for students by county boards of education.~~

BY repealing and reenacting, with amendments,
 Article – Education
 Section 7–404
 Annotated Code of Maryland
 (2014 Replacement Volume and 2017 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 first grade, and enters the eighth or ninth grade.

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

(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.

(e) **(1)** The county board or the county health department shall report to the Maryland Department of Health [the]:

~~(1)~~ **(1)** **THE** results of the hearing and vision screenings [and, to]; **AND**

~~(2)~~ **(II)** **TO** the extent practicable, the number of students receiving the recommended services; ~~AND.~~

~~(3)~~ ~~**(I)** **THE NUMBER OF STUDENTS WHO DID NOT RECEIVE THE RECOMMENDED SERVICES AFTER FAILING A HEARING OR VISION SCREENING; AND**~~

~~**(II)** **THE REASON EACH STUDENT UNDER ITEM (I) OF THIS ITEM DID NOT RECEIVE THE RECOMMENDED SERVICES.**~~

(2) **THE MARYLAND DEPARTMENT OF HEALTH SHALL:**

(I) **REVIEW THE REPORTS SUBMITTED UNDER THIS SUBSECTION; AND**

(II) IN COUNTIES WHERE FEWER THAN 50% OF STUDENTS WHO HAVE FAILED THE SCREENINGS ARE RECEIVING THE RECOMMENDED SERVICES, COORDINATE WITH THE COUNTY BOARD OR THE COUNTY HEALTH DEPARTMENT TO IMPLEMENT MEASURES TO IMPROVE THE NUMBER OF STUDENTS RECEIVING THE RECOMMENDED SERVICES.

~~(F) (1) EACH COUNTY BOARD SHALL DEVELOP A WRITTEN STRATEGY WITH QUANTIFIABLE GOALS TO INCREASE THE NUMBER OF STUDENTS RECEIVING RECOMMENDED SERVICES AFTER FAILING A HEARING OR VISION SCREENING.~~

~~(2) EACH COUNTY BOARD SHALL REPORT ANNUALLY ON ITS PROGRESS IN MEETING THE GOALS DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.~~

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

~~(g) (H)~~ 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, 2018.

Approved by the Governor, May 8, 2018.