

House Study Bill 657 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON MASCHER)

A BILL FOR

- 1 An Act relating to vision screenings for students, and
- 2 including applicability provisions.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 135.39D Student vision screening.

2 1. a. School districts and accredited nonpublic schools
3 shall provide vision screenings to all students entering
4 kindergarten and grades one, three, six, and nine; transfer
5 students; and students referred by a parent, guardian, or
6 teacher for screening as provided in this section.

7 b. A school district or accredited nonpublic school shall
8 provide a vision screening for a student beginning a school
9 year in kindergarten within sixty days of the first day the
10 student begins school.

11 c. A student is excused from the vision screening if a
12 parent or guardian presents school officials with documentation
13 of a student's comprehensive eye examination performed by a
14 licensed ophthalmologist or licensed optometrist within the
15 past twelve months. School officials shall retain a copy of
16 the results of the student's eye examination.

17 2. a. School personnel shall retain each student's vision
18 screening results and provide each student's parent or guardian
19 with the results and any follow-up recommendations for vision
20 correction or care as necessary.

21 b. The parent or guardian of a student who demonstrates
22 during the vision screening specific visual problems, as
23 identified by the department of public health, shall cause
24 the student to undergo a comprehensive eye examination by a
25 licensed ophthalmologist or licensed optometrist within six
26 months and provide documentation of the examination to the
27 appropriate school official.

28 c. If a parent or guardian fails to provide documentation
29 that the required follow-up examination has occurred, school
30 officials shall notify the parent or guardian in writing of the
31 current student vision screening and examination requirements
32 as established by law and also notify the department of public
33 health.

34 d. School officials shall not prohibit a student from
35 attending school due to the failure of a parent or guardian

1 to provide documentation of the student's comprehensive eye
2 examination.

3 3. Area education agencies, pursuant to section 273.3,
4 shall make every effort to provide, in collaboration with
5 local community organizations, vision screening services to
6 children ages two through four. The area education agencies
7 and the organizations providing the vision screenings shall
8 notify the parent or guardian of the child if a comprehensive
9 eye examination by a licensed ophthalmologist or licensed
10 optometrist is recommended.

11 4. a. A licensed ophthalmologist, licensed optometrist,
12 licensed physician, or certified vision screener shall conduct
13 vision screenings required by this section. A certified
14 vision screener is an individual trained in vision screening
15 techniques within the past three years and certified by
16 the department of public health. The department of public
17 health, in cooperation with the department of education, shall
18 establish vision screening training standards.

19 b. The department of public health shall approve vision
20 screening techniques and protocols recommended by a nationally
21 recognized organization such as the American academy of
22 pediatrics, the American academy of ophthalmology, or the
23 national eye institute.

24 5. The department of public health, in cooperation with the
25 department of education, shall adopt rules to administer this
26 section. The department of public health shall submit a report
27 to the general assembly by January 1, annually, regarding
28 student vision screenings results for the most recently
29 completed school year. The first report, due January 1, 2013,
30 shall include an assessment by the department about whether a
31 source of financial assistance for parents and guardians would
32 increase compliance with required follow-up comprehensive eye
33 examinations.

34 Sec. 2. Section 280.7A, Code 2009, is repealed June 30,
35 2011.

1 Sec. 3. STATE MANDATE FUNDING SPECIFIED. In accordance
2 with section 25B.2, subsection 3, the state cost of requiring
3 compliance with any state mandate included in this Act shall
4 be paid by a school district from state school foundation aid
5 received by the school district under section 257.16. This
6 specification of the payment of the state cost shall be deemed
7 to meet all the state funding-related requirements of section
8 25B.2, subsection 3, and no additional state funding shall
9 be necessary for the full implementation of this Act by and
10 enforcement of this Act against all affected school districts.

11 Sec. 4. APPLICABILITY DATE. This Act applies to school
12 years beginning on or after July 1, 2011.

13 EXPLANATION

14 This bill establishes vision screenings for students who
15 are at specific grade levels, who are referred, or who are
16 transferring schools to be provided by school districts and
17 accredited nonpublic schools.

18 Every student beginning in kindergarten shall receive a
19 vision screening within 60 days of starting the school year.

20 A student is excused from a vision screening if a parent
21 or guardian presents school officials documentation that
22 the student received an eye exam within 12 months. School
23 officials are required to keep a copy of the eye exam results.

24 School personnel shall retain the results of students'
25 vision screenings and inform parents and guardians of the
26 results. A student who demonstrates specific visual problems
27 during the screening will be required to have a comprehensive
28 eye exam by a licensed ophthalmologist or optometrist within
29 six months. A parent or guardian is required to provide school
30 officials with documentation of the exam.

31 A parent or guardian who fails to provide documentation
32 of the required eye exam shall be notified in writing of
33 the current student vision requirements under law and the
34 department of public health (DPH) shall be informed. A student
35 shall not be prohibited from attending school due to the

1 failure of a parent or guardian to provide documentation of a
2 required eye exam.

3 Area education agencies, in collaboration with community
4 organizations, shall provide vision screening services to
5 children ages two through four.

6 Licensed medical personnel or certified vision screeners
7 must provide the vision screenings. Vision screenings shall
8 be provided using techniques and protocols approved by DPH,
9 as established by nationally recognized organizations with
10 expertise in vision screening.

11 DPH, in cooperation with the department of education, is
12 required to adopt rules regarding the requirements of this new
13 Code section. DPH shall submit an annual report to the general
14 assembly by January 1, regarding the vision screening results.
15 The first report is due January 1, 2013. The report shall
16 include an assessment about compliance with required follow-up
17 eye exams and whether financial assistance would increase
18 compliance.

19 Code section 280.7A, which is the current statute about
20 student eye care, is repealed June 30, 2011. The current law
21 provides that a parent or guardian receive a student vision
22 card when a child registers for preschool or kindergarten with
23 the goal of every child receiving an eye exam by age seven.
24 Current law also provides that school districts may encourage
25 the receipt of eye exams by students receiving special
26 education services.

27 The bill may include a state mandate as defined in Code
28 section 25B.3. The bill requires that the state cost of
29 any state mandate included in the bill be paid by a school
30 district from state school foundation aid received by the
31 school district under Code section 257.16. The specification
32 is deemed to constitute state compliance with any state mandate
33 funding-related requirements of Code section 25B.2. The
34 inclusion of this specification is intended to reinstate the
35 requirement of political subdivisions to comply with any state

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1 mandates included in the bill.

2 The bill applies to school years beginning on or after July

3 1, 2011.