SENATE FILE 2163 BY McCOY, DANIELSON, and APPEL

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:

TLSB 6058XS (5) 83 ak/nh Section 1. <u>NEW SECTION</u>. 135.39D Student vision screening.
 1. a. School districts and accredited nonpublic schools
 shall provide vision screenings to all students entering
 kindergarten and grades one, three, six, and nine; transfer
 students; and students referred by a parent, guardian, or
 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.

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

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

34 *d.* School officials shall not prohibit a student from35 attending school due to the failure of a parent or guardian

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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.

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

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 Section 280.7A, Code 2009, is repealed June 30, 35 2011.

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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.

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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.

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

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LSB 6058XS (5) 83 ak/nh 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.

DPH, in cooperation with the department of education, is required to adopt rules regarding the requirements of this new Code section. DPH shall submit an annual report to the general 4 assembly by January 1, regarding the vision screening results. The first report is due January 1, 2013. The report shall include an assessment about compliance with required follow-up reye exams and whether financial assistance would increase 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.

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

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LSB 6058XS (5) 83 ak/nh 1 mandates included in the bill.

2 The bill applies to school years beginning on or after July 3 1, 2011.

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