
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair
2015 - 2016 Regular

Bill No: SB 402
Author: Mitchell
Version: February 25, 2015
Urgency: No
Consultant: Olgalilia Ramirez
Hearing Date: April 15, 2015
Fiscal: Yes

Subject: Pupil health: vision examinations

NOTE: This bill has been referred to the Committees on Education and Health. A "do pass" motion should include referral to the Committee on Health.

SUMMARY

This bill deletes the requirement that students' vision be appraised by a school nurse, and instead requires that students' vision be examined by a physician, optometrist, or ophthalmologist.

BACKGROUND

Current law:

1. Requires, during kindergarten or upon first enrollment in an elementary school, and in grades 2, 5, and 8, the vision of students to be appraised by the school nurse or other authorized person. The appraisal must include tests for visual acuity and color vision, however, color vision is to be appraised once and only on male students. Continual and regular observation of students' eyes, appearance, behavior, visual performance and perception are to be done by the school nurse and the classroom teacher. The appraisal may be waived if the parents present a certificate from a physician and surgeon, a physician assistant or an optometrist, and parents may opt-out based on religious beliefs. (Education Code § 49455)
2. Requires a report to be made to the parent when a visual or other defect has been noted by the supervisor of health or his/her assistant. (EC § 49456)
3. Requires school districts to provide for the testing of the sight and hearing of each student enrolled in the district. The test is to be given only by:
 - A. Duly qualified supervisors of health employed by the district.
 - B. Certificated employees of the district or county office of education who possess the qualifications prescribed by the Commission on Teacher Credentialing.
 - C. Contract with an agency duly authorized to perform those services by the county superintendent of schools, under guidelines established by the State Board of Education.

- D. Accredited schools or colleges or optometry, osteopathic medicine, or medicine. (Education Code § 49452)
4. Provides that:
- A. An employee of a school district or of a county superintendent of schools to be authorized to give vision tests and be designated a “duly qualified supervisor of health” if the employee is a physician and surgeon or osteopath, a school nurse, or an optometrist.
 - B. Non-medical certificated employees of a school district or county office of education may be authorized to give vision tests if the employee has specified documentation. (California Code of Regulations, Title 5, § 591)

ANALYSIS

This bill deletes the requirement that students’ vision be appraised by a school nurse or other authorized person, and instead requires that students’ vision be examined by a physician, optometrist, or ophthalmologist. Specifically, this bill:

1. Adds binocular function, refraction, and eye health evaluation to the list of required vision examinations.
2. Requires the parent or guardian to provide test results to the school and eliminates vision appraisal waivers.
3. Requires examinations to be aligned with the most current standards, policy or guidelines adopted by the American Academy of Pediatrics, the American Academy Ophthalmology or the American Optometric Association.
4. Requires students’ vision to be examined every two years until the student completes grade 8.
5. Deletes the following provisions:
 - A. Clarifying if first enrollment occurs in grade 4 or 7 the student’s vision need not be appraised in the year immediately following.
 - B. Requiring color vision to be only for male students after the student has reached first grade instead specifies that student’s color vision be examined once at enrollment.
 - C. Specifying that a student’s vision may be appraised using an eye chart or other scientifically validated photoscreening test.
6. Requires the department to adopt regulations to implement this section as well as provide participation data in lieu of adopting guidelines, as specified.

STAFF COMMENTS

1. ***Need for the bill.*** According to the author, vision testing in California schools is limited to screening for visual acuity and while current practices are important for identifying children who may need glasses, it does not address how well the two eyes work together while reading which may impact academic performance. The author asserts that although there are optional procedures for assessing vision in public schools that could uncover eye coordination problems, these are rarely used. This bill requires students entering elementary school to receive a comprehensive eye exam by a physician, optometrist, or ophthalmologist for the purposes of identifying visual defects like eye coordination problems that may be missed by existing testing methods.
2. ***Comprehensive eye exam.*** According to the California Optometric Association comprehensive eye exams evaluate three primary areas: vision, binocularity and eye health. “A subjective and/or an objective refraction are performed to detect myopia (nearsightedness), astigmatism (irregularity of the cornea) or hyperopia (farsightedness).” Additionally, focusing ability is evaluated and near visual acuity as well as color vision is tested. There is a binocular assessment, which checks depth perception, eye alignment, teaming tracking, and convergence important skills for reading and learning. Overall, a thorough evaluation is performed to ensure good eye health. This bill adds binocular function, refraction, and eye health evaluation to the list of required vision examinations and requires the parent or guardian to provide test results to the school.
3. ***Frequency of appraisal.*** Current law requires, upon first enrollment in an elementary school, and at least every third year thereafter until the child has completed grade 8, the vision of students to be appraised, including tests for visual acuity and color vision. The evaluation of color vision is to be appraised once and only on male students, and need not begin until the male student has reached grade 1. This bill instead, provides that examinations including binocular function as well as refraction and eye health examinations are given to students every two years until the student completes grade 8.
4. ***Vision screening in California's schools.*** *The Guide for Vision Testing in California Public Schools* developed by California Department of Education (CDE) provides districts and school health personnel with guidelines for a vision testing program. The guidelines facilitate the planning and implementation of programs for assessment of vision for all students in California public schools. Among its recommendations, the publication provides that those authorized to conduct vision appraisals include the following:
 - A. Medical practitioners, including a nurse, physician, ophthalmologist, or optometrist who holds both a license from the appropriate California board or agency, and a health and development credential, a standard designated service credential with a specialization in health, a health services credential as a school nurse, or a school nurse services credential;

- B. Certificated school district or county employees who hold a teaching credential and are qualified by training, including satisfactory completion of six hours of vision testing, or an accredited college or university course in vision testing of at least one semester unit; or,
- C. Contracting agents who have met the training requirements specified above and who have been authorized by the county superintendent of schools in which the district is located to perform the tests.

Current law requires CDE to adopt guidelines to implement this section and provides CDE with flexibility to consult with the appropriate entities. Rather than require the implementation of standards from non-governmental entities **staff recommends** striking on page 2 line 9 “This examination shall be consistent with the most current standard, policy or guideline adopted by the American Academy of Pediatrics, the American Academy Ophthalmology or the American Optometric Association.”

Current law provides students’ vision to be appraised by a school nurse. This bill deletes this option and provides no alternative for parents. **Staff recommends** the bill be amended to reinstate the following provisions:

- A. A school shall not deny admission to a pupil or take another adverse action against a pupil if his or her parent or guardian fails to provide the results of the examination to the school.
- B. If the results of the eye examination are not provided to the school, then during the kindergarten year or upon first enrollment or entry, and in grades 2, 5, and 8, the pupil’s vision shall be appraised by the school nurse or other person authorized under Section 49452.
- C. A pupil whose first enrollment or entry occurs in grade 4 or 7 shall not be required to be appraised in the year immediately following the pupil’s first enrollment or entry.
- D. The appraisal shall include tests for visual acuity, including near vision and color vision. However, color vision shall be appraised once and only on male pupils, and the results of the appraisal shall be entered in the health record of the pupil. Color vision appraisal need not begin until the male pupil has reached the first grade.
- E. A pupil’s vision may be appraised by using an eye chart or any other scientifically validated photoscreening test. Photoscreening tests shall be performed under an agreement with, or the supervision of an optometrist or ophthalmologist, by the school nurse, or a trained individual who meets requirements established by the department.

5. ***Prior legislation.***

AB 1840 (Campos, CH. 803, 2014) authorized a child’s vision to be appraised by using an eye chart or any scientifically validated photoscreening test and requires

photoscreening tests to be performed, under an agreement with, or the supervision of an optometrist or ophthalmologist, by the school nurse or by a trained individual who meets specified requirements as determined by the California Department of Education (CDE). AB 402 would substantially delete the provisions most recently enacted by AB 1840 (Campus 2014) and SB 1172 (Steinberg 2014) regarding vision appraisals. The amendments outlined in staff comment #4 reinstate the deleted provisions only in the event that results of an exam cannot be provided by a parent.

SB 1172 (Steinberg, CH. 925, 2014) requires school vision appraisals to include tests for near vision, and expands current requirements for school nurses and teachers to observe student's eyes to also include observation of the appearance and behavior of student's eyes, and requires observation to be continual and regular.

SB 430 (Wright, 2013) would have required a pupil to receive a vision examination from a physician, optometrist, or ophthalmologist and required that screening to include a test for binocular function, refraction, and eye health. SB 430 died in the Assembly Health Committee.

AB 1095 (Wright, 2001) would have required every student, within 90 days of entering grade 1, to undergo a comprehensive eye exam that included, in addition to ocular health and distance and near visual acuity, additional evaluations of visual skills such as eye teaming, focusing and tracking that may impact a child's ability to read. AB 1095 was held in the Senate Appropriations Committee's suspense file.

AB 1096 (Wright, 2001) would have established a pilot program for schools scoring in the bottom 20% on state achievement tests, to administer to poor readers a comprehensive eye screening and remedial vision training. AB 1096 died on the Senate Floor's inactive file.

SUPPORT

California Black Health Network
California Federation of Teachers
California Federation of Teachers
California Optometric Association
California Pan-Ethnic Health Network
California State Board of Optometry
Numerous individuals

OPPOSITION

American Academy of Pediatrics
California Academy of Eye Physicians and Surgeons
California Academy of Family Physicians
California School Nurse Organizations
Kaiser Permanente

-- END --