

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1399

By: Stanislawski

6 AS INTRODUCED

7 An Act relating to students; amending 70 O.S. 2011,
8 Section 1210.284, as last amended by Section 79,
Chapter 229, O.S.L. 2013 (70 O.S. Supp. 2019, Section
9 1210.284), which relates to vision screening of
10 students; directing the State Department of Education
rather than the State Department of Health to
11 maintain certain registry; directing the State
Department of Health to make certain recommendations
12 to the State Department of Education; removing
certain requirements for the recommendations;
13 directing the State Department of Education rather
than the State Department of Health to establish and
14 maintain certain registry and standards; removing
language regarding the approval of certain
15 applicants; removing language providing for the State
Board of Health to promulgate certain rules; removing
16 language providing for contents of certain report;
removing language requiring certain report; providing
an effective date; and declaring an emergency.

17
18
19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.284, as
21 last amended by Section 79, Chapter 229, O.S.L. 2013 (70 O.S. Supp.
22 2019, Section 1210.284), is amended to read as follows:

23 Section 1210.284. A. 1. The parent or legal guardian of each
24 student enrolled in kindergarten at a public school in this state
25

1 shall provide certification to school personnel that the student
2 passed a vision screening within the previous twelve (12) months or
3 during the school year. Such screening shall be conducted by
4 personnel listed on the statewide registry as maintained by the
5 State Department of ~~Health~~ Education.

6 2. The parent or legal guardian of each student enrolled in
7 first or third grade at a public school in this state shall provide
8 within thirty (30) days of the beginning of the school year
9 certification to school personnel that the student passed a vision
10 screening within the previous twelve (12) months. Such screening
11 shall be conducted by personnel listed on the statewide registry as
12 maintained by the State Department of ~~Health~~ Education.

13 3. The parent or legal guardian of each student who receives a
14 vision screening as required by this section shall receive
15 notification that a vision screening is not the equivalent of a
16 comprehensive eye exam.

17 B. 1. ~~The Infant and Children's Health Advisory Council~~
18 ~~created in Section 44 of this act shall make recommendations to the~~
19 ~~State Board~~ Department of Health shall make recommendations to the
20 State Department of Education on:

- 21 a. standards for vision screening and referral, and
- 22 b. qualifications for ~~initial~~ recognition ~~and renewal of~~
23 ~~recognition~~ of vision screeners,

- ~~c. qualifications for initial recognition and renewal of
recognition of vision screener trainers,~~
- ~~d. qualifications for initial recognition and renewal of
recognition of trainers of vision screener trainers,
and~~
- ~~e. grounds for denial, refusal, suspension or revocation
of recognition of vision screeners, vision screener
trainers and trainers of vision screener trainers.~~

2. The State Department of Education shall:

- a. establish and thereafter maintain a statewide
registry, available via the Internet, which shall
contain a list of approved vision screeners, and
- ~~b. maintain a list of approved vision screener trainers
and trainers of vision screener trainers, and~~
- ~~c. maintain the standards for vision screening and
referral.~~

~~3. After notice and hearing, the Department may deny, refuse,
suspend or revoke approval to an applicant which has a history of:~~

- ~~a. noncompliance or incomplete or partial compliance with
the provisions of this section or the rules adopted by
the Board to implement the provisions of this section,~~
- ~~b. referring persons to a business in which the applicant
has a financial interest or a business which is owned~~

~~or operated by someone within the third degree of
consanguinity or affinity of the applicant, or
e. conduct which demonstrates that the applicant is
providing services in a manner which does not warrant
public trust.~~

~~4. The Board, giving consideration to the recommendations of
the Infant and Children's Health Advisory Council created in Section
44 of this act, shall promulgate rules to implement the provisions
of this section.~~

C. 1. The parent or legal guardian of each student who fails
the vision screening required in subsection A of this section shall
receive a recommendation to undergo a comprehensive eye examination
performed by an ophthalmologist or optometrist.

2. The ophthalmologist or optometrist shall forward a written
report of the results of the comprehensive eye examination to the
student's school, parent or legal guardian, and primary health care
provider designated by the parent or legal guardian. ~~The report
shall include, but not be limited to:~~

- ~~a. date of report,~~
- ~~b. name, address and date of birth of the student,~~
- ~~c. name of the student's school,~~
- ~~d. type of examination,~~
- ~~e. a summary of significant findings, including
diagnoses, medication used, duration of action of~~

1 medication, treatment, prognosis, whether or not a
2 return visit is recommended and, if so when,
3 f. recommended educational adjustments for the child, if
4 any, which may include: preferential seating in the
5 classroom, eyeglasses for full-time use in school,
6 eyeglasses for part-time use in school, sight-saving
7 eyeglasses, and any other recommendations, and
8 g. name, address and signature of the examiner.

9 D. No student shall be prohibited from attending school for a
10 parent's or legal guardian's failure to furnish a report of the
11 student's vision screening or an examiner's failure to furnish the
12 results of a student's comprehensive eye examination required by
13 this section.

14 E. School districts shall notify parents or legal guardians of
15 students who enroll in kindergarten, first, or third grade for the
16 2007-08 school year and each year thereafter of the requirements of
17 this section.

18 F. The State Board of Education shall adopt rules for the
19 implementation of this section ~~except as provided in subsection B of~~
20 ~~this section. The State Department of Education shall issue a~~
21 ~~report annually on the impact and effectiveness of this section.~~

22 SECTION 2. This act shall become effective July 1, 2020.

23 SECTION 3. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby
25

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
3

4 57-2-2510 EB 1/15/2020 8:38:05 AM
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25