

PUBLIC SCHOOL CODE OF 1949 - HEALTH SERVICES AND VISION
SCREENING AND EXAMINATIONS

Act of Nov. 25, 2020, P.L. 1214, No. 122

Cl. 24

Session of 2020
No. 2020-122

HB 1342

AN ACT

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," in school health services, further providing for health services and providing for vision screening and examinations.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 1402(a) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, is amended to read:

Section 1402. Health Services.--(a) Each child of school age shall be given by methods established by the Advisory Health Board, [(1) a vision test by a school nurse, medical technician or teacher, (2)] **(1) a hearing test by a school nurse or medical technician, [(3)] (2) a measurement of height and weight by a school nurse or teacher, who shall use the measurement to compute a child's weight-for-height ratio, [(4)] (3) tests for tuberculosis under medical supervision, and [(5)] (4) such other tests as the Advisory Health Board may deem advisable to protect the health of the child. [Vision tests shall be given at least annually and other tests at intervals established by the Advisory Health Board.]**

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Section 2. The act is amended by adding a section to read:

Section 1403.1. Vision Screening and Examinations.--(a)

(1) Prior to admission to school for the first time, a parent or legal guardian shall present to the school entity or nonpublic school certification from a primary care provider or vision screener that the child has passed or failed a vision screening performed by a primary care provider or a vision screening conducted by screeners with specific training in vision screening techniques and protocols approved by the Department of Health or has completed a comprehensive eye exam conducted by an ophthalmologist or optometrist within the previous twelve months.

(2) The Advisory Health Board shall promulgate regulations to establish vision screening standards based on instrument-based vision screening technologies or visual acuity testing, taking into consideration national guidelines from the American Academy of Pediatrics and American Association for Pediatric Ophthalmology and Strabismus.

(b) (1) Every school year at a school entity or nonpublic school, until a child completes the fifth grade and at least every two years thereafter until the child graduates from the twelfth grade, the child shall have a vision screening performed by school health personnel or screeners with specific training in vision screening techniques and protocols approved by the

Advisory Health Board. The results of the vision screening shall be supplied to the parent or legal guardian of the child.

(2) For a child who fails a required vision screening, a comprehensive eye examination, performed by an ophthalmologist or optometrist, shall also be required. Notification of the parent or legal guardian of the failed screening shall be accompanied by notification of requirement for a comprehensive examination that must be completed within one hundred twenty (120) days or before the start of the next school year, whichever comes first, and a list of vision resources compiled by the Department of Health. Notification may also include a form, to be completed by the examining ophthalmologist or optometrist, to be used for reporting the results of the examination. The report may include, but not be limited to, the following:

- (i) Date of report.
- (ii) Name, address and date of birth of the child.
- (iii) Name of the child's school.
- (iv) A summary of significant findings, including best corrected visual acuity, diagnosis, treatment, prognosis and whether or not a return visit is recommended and, if so, when.
- (v) Recommended educational adjustments for the child, if any, which may include preferential seating in the classroom, eyeglasses for full-time use in school, eyeglasses for part-time use in school, sight-saving eyeglasses or any other recommendations.

- (vi) Name, address and signature of the examiner.

(3) The examination report may be accompanied by an envelope for return of the form to school health personnel so the completion status and result of the examination under paragraph (2) may be recorded.

(c) No child shall be denied admission or excluded from attending school for the reason that the parent or legal guardian failed to furnish a report of the child's vision screening or to have an examination completed upon failure of the vision screening.

(d) A school entity or nonpublic school shall not be required to provide comprehensive eye examinations or held financially responsible for the treatment of a child who fails the required vision screening.

(e) This section shall apply to school years beginning after the regulations are promulgated by the Advisory Health Board under subsection (a)(2).

(f) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Nonpublic school." As defined in section 922.1-A.

"School entity." A school district, charter school, regional charter school, cyber charter school, intermediate unit or area career and technical school.

Section 3. This act shall take effect in 60 days.

APPROVED--The 25th day of November, A.D. 2020.

TOM WOLF