

HOUSE BILL No. 5307

February 3, 2016, Introduced by Reps. Price, Zemke, Lane, Schor, Durhal, Crawford, Gardon, Hughes, Love, Lucido, Geiss, Callton, Webber, Runestad, Clemente, Heise, Phelps, Kesto, Vaupel, Singh, Cochran, Tedder, Gay-Dagnogo, Inman, Chang and Kosowski and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1176.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1176. (1) SUBJECT TO SUBSECTION (2), IN ADDITION TO THE
2 PRESCHOOL VISION SCREENING TEST REQUIRED UNDER SECTION 1177(2)
3 BEFORE ENTRY TO KINDERGARTEN, THE BOARD OF A SCHOOL DISTRICT OR
4 BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY SHALL ENSURE THAT
5 EACH PUPIL ENROLLED IN THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY
6 IN EACH OF GRADES K, 3, 6, AND 8 IS PROVIDED WITH A VISION
7 SCREENING BEFORE JANUARY 1 OF THE SCHOOL YEAR. THE BOARD OR BOARD
8 OF DIRECTORS SHALL ENSURE THAT THE RESULTS OF EACH PUPIL'S VISION
9 SCREENING ARE PROVIDED TO THE PRINCIPAL OR CHIEF ADMINISTRATOR OF
10 THE PUPIL'S SCHOOL. THE PRINCIPAL OR CHIEF ADMINISTRATOR SHALL USE

1 THE RESULTS SOLELY FOR USE IN ASSESSING THE PUPIL'S EDUCATIONAL
2 PROGRESS AND NEEDS.

3 (2) A VISION SCREENING IS NOT REQUIRED FOR A PUPIL IF THE
4 PUPIL'S PARENT OR LEGAL GUARDIAN HAS SUBMITTED TO THE SCHOOL
5 DISTRICT OR PUBLIC SCHOOL ACADEMY A STATEMENT SIGNED BY THE PARENT
6 OR LEGAL GUARDIAN TO THE EFFECT THAT THE PUPIL CANNOT BE SUBMITTED
7 TO THE VISION SCREENING BECAUSE OF RELIGIOUS CONVICTIONS.

8 (3) IF A PUPIL HAS A VISION DEFICIENCY AS DEMONSTRATED BY A
9 VISION SCREENING UNDER SUBSECTION (1), HAS BEEN IDENTIFIED AS BEING
10 A STRUGGLING READER BY HIS OR HER TEACHER, HAS BEEN RECOMMENDED TO
11 BE EVALUATED TO DETERMINE IF HE OR SHE IS A STUDENT WITH A
12 DISABILITY DUE TO READING DIFFICULTIES, OR HAS FAILED TO ACHIEVE A
13 SCORE OF AT LEAST PROFICIENT ON THE APPLICABLE GRADE LEVEL STATE
14 ASSESSMENT FOR ENGLISH LANGUAGE ARTS, IF ANY, THEN ALL OF THE
15 FOLLOWING APPLY:

16 (A) WITHIN 10 DAYS AFTER THE OCCURRENCE OF 1 OF THESE
17 CIRCUMSTANCES, THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY IN
18 WHICH THE PUPIL IS ENROLLED SHALL NOTIFY THE PUPIL'S PARENT OR
19 LEGAL GUARDIAN THAT THE PUPIL IS REQUIRED TO HAVE A COMPREHENSIVE
20 EYE AND VISION EXAMINATION AS DESCRIBED IN SUBDIVISION (B).

21 (B) WITHIN 60 DAYS AFTER THE DATE OF THE NOTICE UNDER
22 SUBDIVISION (A), THE PUPIL'S PARENT OR LEGAL GUARDIAN SHALL ENSURE
23 THAT THE PUPIL HAS A COMPREHENSIVE EYE AND VISION EXAMINATION
24 CONDUCTED BY AN EYE CARE PROFESSIONAL. WITHIN 30 DAYS AFTER
25 CONDUCTING THE EXAMINATION, THE EYE CARE PROFESSIONAL SHALL SUBMIT
26 TO THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY, IN COMPLIANCE WITH
27 ALL APPLICABLE LAW, A CERTIFICATE SIGNED BY THE EYE CARE

1 PROFESSIONAL THAT DOES ALL OF THE FOLLOWING:

2 (i) ACKNOWLEDGES THAT THE PUPIL HAS RECEIVED THE COMPREHENSIVE
3 EYE AND VISION EXAMINATION REQUIRED UNDER THIS SUBDIVISION.

4 (ii) INDICATES WHETHER THE EYE CARE PROFESSIONAL RECOMMENDS
5 VISION CORRECTION, VISION THERAPY, OR OTHER TREATMENT.

6 (iii) IF THERE IS A TREATMENT RECOMMENDATION UNDER
7 SUBPARAGRAPH (ii), CONFIRMS THAT THE PUPIL'S PARENT OR LEGAL
8 GUARDIAN HAS COMPLIED WITH, OR IS IN THE PROCESS OF COMPLYING WITH,
9 THAT TREATMENT RECOMMENDATION.

10 (C) IF A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY DOES NOT
11 RECEIVE THE CERTIFICATE REQUIRED UNDER SUBDIVISION (B) FOR A PUPIL
12 WITHIN THE TIME PERIOD ALLOWED, THE SCHOOL DISTRICT OR PUBLIC
13 SCHOOL ACADEMY SHALL SUBMIT A REPORT TO THE DEPARTMENT IDENTIFYING
14 THE PUPIL AND SHALL TAKE APPROPRIATE STEPS TO ENCOURAGE THE PUPIL'S
15 PARENT OR LEGAL GUARDIAN TO MAKE SURE THAT THE PUPIL RECEIVES A
16 COMPREHENSIVE EYE AND VISION EXAMINATION DESCRIBED IN SUBDIVISION
17 (B).

18 (4) AS USED IN THIS SECTION, "EYE CARE PROFESSIONAL" MEANS A
19 PHYSICIAN LICENSED UNDER EITHER PART 170 OF THE PUBLIC HEALTH CODE,
20 1978 PA 368, MCL 333.17001 TO 333.17084, OR PART 175 OF THE PUBLIC
21 HEALTH CODE, 1978 PA 368, MCL 333.17501 TO 333.17556, WHO
22 SPECIALIZES IN OPHTHALMOLOGY OR AN OPTOMETRIST LICENSED UNDER PART
23 174 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.17401 TO
24 333.17437.

25 Enacting section 1. This amendatory act takes effect 90 days
26 after the date it is enacted into law.

27 Enacting section 2. This amendatory act does not take effect

1 unless all of the following bills of the 98th Legislature are
2 enacted into law:

3 (a) Senate Bill No.____ or House Bill No.____ (request no.
4 03705'15 a).

5 (b) Senate Bill No.____ or House Bill No.____ (request no.
6 03731'15).

7 (c) Senate Bill No.____ or House Bill No.____ (request no.
8 03732'15).