

AMENDED IN SENATE APRIL 18, 2013

**SENATE BILL**

**No. 430**

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**Introduced by Senator Wright**  
**(Coauthor: Senator Hancock)**

~~(Coauthor: Assembly Member~~ *Coauthors: Assembly Members Mitchell  
and John A. Pérez)*

February 21, 2013

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An act to amend Section 49455 of the Education Code, relating to pupil health.

LEGISLATIVE COUNSEL'S DIGEST

SB 430, as amended, Wright. Pupil health: vision appraisal: binocular function.

Existing law requires, upon first enrollment in a California school district of a child at a California elementary school, and at least every 3rd year thereafter until the child has completed the 8th grade, the child's vision to be appraised by the school nurse or other authorized person, as specified. Existing law requires this appraisal to include tests for visual acuity and color vision.

This bill would require the appraisal to also include a *screening* test for binocular function. The bill would provide that the binocular function appraisal need not begin until the pupil has reached the 3rd grade and would authorize the binocular function appraisal to include a validated symptom survey, as specified. By requiring a school nurse or other authorized person to test for binocular function, the bill would impose a state-mandated local program.

This bill would also make nonsubstantive changes to this provision.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 49455 of the Education Code is amended  
2 to read:

3 49455. (a) Upon first enrollment in a California school district  
4 of a pupil at a California elementary school, and at least every  
5 third year thereafter until the pupil has completed the 8th grade,  
6 the pupil’s vision shall be appraised by the school nurse or other  
7 authorized person under Section 49452. This appraisal shall include  
8 *screening* tests for visual acuity, binocular function, and color  
9 vision; however, color vision shall be appraised once and only on  
10 male pupils, and the results of the appraisal shall be entered in the  
11 health record of the pupil. Color vision appraisal need not begin  
12 until the male pupil has reached the first grade. Binocular function  
13 appraisal need not begin until the pupil has reached the ~~3rd~~ *third*  
14 grade. Gross external observation of the pupil’s eyes, visual  
15 performance, and perception shall be done by the school nurse and  
16 the classroom teacher. The appraisal may be waived, if the pupil’s  
17 parents so desire, by their presenting of a certificate from a  
18 physician and surgeon, a physician assistant practicing in  
19 compliance with Chapter 7.7 (commencing with Section 3500) of  
20 Division 2 of the Business and Professions Code, or an optometrist  
21 setting out the results of a determination of the pupil’s vision,  
22 including visual acuity, binocular function, and color vision.

23 (b) This section shall not apply to a pupil whose parents or  
24 guardian file with the principal of the school in which the pupil is  
25 enrolling, a statement in writing that they adhere to the faith or  
26 teachings of any well-recognized religious sect, denomination, or  
27 organization and in accordance with its creed, tenets, or principles  
28 depend for healing upon prayer in the practice of their religion.

1 (c) The binocular function appraisal required by subdivision (a)  
2 may include a validated symptom survey developed during a  
3 National Institute of ~~Health~~ *Health's* clinical trial and published  
4 for use in the public domain.

5 SEC. 2. If the Commission on State Mandates determines  
6 that this act contains costs mandated by the state, reimbursement  
7 to local agencies and school districts for those costs shall be made  
8 pursuant to Part 7 (commencing with Section 17500) of Division  
9 4 of Title 2 of the Government Code.

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