

AMENDED IN SENATE MARCH 27, 2014

**SENATE BILL**

**No. 1172**

---

---

**Introduced by Senator Steinberg**  
(Principal coauthor: Assembly Member Gonzalez)  
(Coauthor: Assembly Member Buchanan)

February 20, 2014

---

---

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

LEGISLATIVE COUNSEL'S DIGEST

SB 1172, as amended, Steinberg. Pupil health: vision ~~examinations~~. *appraisals.*

Existing law requires, upon first enrollment in a California school district of a child at a ~~California~~ *an* 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. *Existing law requires gross external observation of the child's eyes, visual performance, and perception to be done by the school nurse and the classroom teacher.*

This bill would ~~express the Legislature's intent to enact legislation that would revise the vision examination requirements for pupils in public elementary schools.~~ *instead require a pupil's vision to be appraised by the school nurse or other authorized person during kindergarten, first grade, or upon first enrollment or entry in a California school district of a pupil at an elementary school, and in grades 2, 5, and 8. The bill would revise the functions to be performed by the school nurse and the classroom teacher in observing a pupil's eyes, appearance, and other factors that may indicate vision difficulties.*

*The bill would require the State Department of Education to adopt guidelines to implement those provisions, including training requirements and a method of testing for near vision. Because the bill would impose additional duties on public schools, the bill would impose a state-mandated local program.*

*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: ~~no~~-yes.  
 State-mandated local program: ~~no~~-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. ~~Upon~~(a) During the kindergarten year, first grade,  
 4 or upon first enrollment or entry in a California school district of  
 5 a ~~child pupil at a California~~ an elementary school, and ~~at least~~  
 6 ~~every third year thereafter until the child has completed the eighth~~  
 7 ~~grade, in grades 2, 5, and 8, the child's pupil's~~ vision shall be  
 8 appraised by the school nurse or other authorized person under  
 9 Section 49452. This ~~evaluation~~ appraisal shall include tests for  
 10 visual acuity, including near vision, and color vision; however,  
 11 color vision shall be appraised once and only on male ~~children,~~  
 12 ~~pupils,~~ and the results of the appraisal shall be entered in the health  
 13 record of the pupil. Color vision appraisal need not begin until the  
 14 male pupil has reached the first grade. ~~Gross external observation~~  
 15 ~~of the child's eyes, visual performance, and perception shall be~~  
 16 ~~done by the school nurse and the classroom teacher.~~ The evaluation  
 17 appraisal may be waived, if the ~~child's pupil's~~ parents so desire,  
 18 by their presenting of a certificate from a physician and surgeon,  
 19 a physician assistant practicing in compliance with Chapter 7.7  
 20 (commencing with Section 3500) of Division 2 of the Business  
 21 and Professions Code, or an optometrist setting out the results of

1 a determination of the ~~child's~~ *pupil's* vision, including visual acuity  
2 and color vision.

3 *(b) Continual and regular observation of the pupil's eyes,*  
4 *appearance, behavior, visual performance, and perception that*  
5 *may indicate vision difficulties shall be done by the school nurse*  
6 *and the classroom teacher.*

7 ~~The provisions of this~~

8 *(c) This section shall not apply to ~~any child~~ a pupil whose*  
9 *parents or guardian file with the principal of the school in which*  
10 *the ~~child~~ pupil is enrolling, a statement in writing that they adhere*  
11 *to the faith or teachings of any well-recognized religious sect,*  
12 *denomination, or organization and in accordance with its creed,*  
13 *tenets, or principles depend for healing upon prayer in the practice*  
14 *of their religion.*

15 *(d) The department shall adopt guidelines to implement this*  
16 *section, including training requirements and a method of testing*  
17 *for near vision.*

18 *SEC. 2. If the Commission on State Mandates determines that*  
19 *this act contains costs mandated by the state, reimbursement to*  
20 *local agencies and school districts for those costs shall be made*  
21 *pursuant to Part 7 (commencing with Section 17500) of Division*  
22 *4 of Title 2 of the Government Code.*

23 ~~SECTION 1. It is the intent of the Legislature to enact~~  
24 ~~legislation that would revise the vision examination requirements~~  
25 ~~for pupils in public elementary schools.~~