Part 2
Health Examinations

53A-11-201 Rules for examinations prescribed by Department of Health -- Notification of impairment.

(1)
- (a) Each local school board shall implement rules as prescribed by the Department of Health for vision, dental, abnormal spinal curvature, and hearing examinations of students attending the district's schools.
- (b) Under guidelines of the Department of Health, qualified health professionals shall provide instructions, equipment, and materials for conducting the examinations.
- (c) The rules shall include exemption provisions for students whose parents or guardians contend the examinations violate their personal beliefs.

(2) The school shall notify, in writing, a student's parent or guardian of any impairment disclosed by the examinations.

Amended by Chapter 4, 1996 General Session

53A-11-202 Personnel to perform health examination.

A local school board may use teachers or licensed registered nurses to conduct examinations required under this chapter and licensed physicians as needed for medical consultation related to those examinations.

Enacted by Chapter 2, 1988 General Session

53A-11-203 Vision screening.

(1) As used in this section:
- (a) "Office" means the Utah State Office of Rehabilitation created in Section 35A-1-202.
- (b) "Qualifying child" means a child who is at least 3-1/2 years old, but is less than nine years old.

(2) A child under nine years old entering school for the first time in this state must present the following to the school:
- (a) a certificate signed by a licensed physician, optometrist, or other licensed health professional approved by the office, stating that the child has received vision screening to determine the presence of amblyopia or other visual defects; or
- (b) a written statement signed by at least one parent or legal guardian of the child that the screening violates the personal beliefs of the parent or legal guardian.

(3)
- (a) The office:
  - (i) shall provide vision screening report forms to a person approved by the office to conduct a free vision screening for a qualifying child;
  - (ii) may work with health care professionals, teachers, and vision screeners to develop protocols that may be used by a parent, teacher, or vision screener to help identify a child who may have conditions that are not detected in a vision screening, such as problems with eye focusing, eye tracking, visual perceptual skills, visual motor integration, and convergence insufficiency; and

(iii) shall, once protocols are established under Subsection (3)(a)(ii), develop language regarding the vision problems identified in Subsection (3)(a)(ii) to be included in the notice required by Subsection (3)(b).

(b) The report forms shall include the following information for a parent or guardian: "vision screening is not a substitute for a complete eye exam and vision evaluation by an eye doctor."

(4) A school district or charter school may conduct free vision screening clinics for a qualifying child.

(5)

(a) The office shall maintain a central register of qualifying children who fail vision screening and who are referred for follow-up treatment.

(b) The register described in Subsection (5)(a) shall include the name of the child, age or birthdate, address, cause for referral, and follow-up results.

(c) A school district or charter school shall report to the office referral follow-up results for a qualifying child.

(6)

(a) A school district or charter school shall ensure that a volunteer who serves as a vision screener for a free vision screening clinic for a qualifying child:

(i) is a school nurse;

(ii) holds a certificate issued by the office under Subsection (6)(b)(ii); or

(iii) is directly supervised by an individual described in Subsection (6)(a)(i) or (ii).

(b) The office shall:

(i) provide vision screening training to a volunteer seeking a certificate described in Subsection (6)(b)(ii), using curriculum established by the office; and

(ii) issue a certificate to a volunteer who successfully completes the vision screening training described in Subsection (6)(b)(i).

(c) An individual described in Subsection (6)(a) is not liable for damages that result from acts or omissions related to the vision screening, unless the acts or omissions are willful or grossly negligent.

(7)

(a) Except as provided in Subsection (7)(b), a licensed health professional providing vision care to private patients may not participate as a screener in a free vision screening program provided by a school district.

(b) A school district or charter school may:

(i) allow a licensed health professional who provides vision care to private patients to participate as a screener in a free vision screening program for a child 3-1/2 years old or older;

(ii) establish guidelines to administer a free vision screening program described in Subsection (7)(b)(i); and

(iii) establish penalties for a violation of the requirements of Subsection (7)(c).

(c) A licensed health professional or other person who participates as a screener in a free vision screening program described in Subsection (7)(b):

(i) may not market, advertise, or promote the licensed health professional's business in connection with providing the free screening at the school; and

(ii) shall provide the child's results of the free vision screening on a form produced by the school or school district, which:

(A) may not include contact information other than the name of the licensed health professional; and

(B) shall include a statement: "vision screening is not a substitute for a complete eye exam and vision evaluation by an eye doctor."

(d) A school district or charter school may provide information to a parent or guardian of the availability of follow up vision services for a student.
(8) The Department of Health shall:
(a) by rule, set standards and procedures for vision screening required by this chapter, which shall include a process for notifying the parent or guardian of a child who fails a vision screening or is identified as needing follow-up care; and
(b) provide the office with copies of rules, standards, instructions, and test charts necessary for conducting vision screening.
(9) The office shall supervise screening, referral, and follow-up required by this chapter.

Amended by Chapter 271, 2016 General Session

53A-11-204 Nursing services in the public schools -- Collaborative efforts.
(1)
(a) Students in the state's public schools may be better protected against risks to health and safety if schools were to have registered nurses readily available to assist in providing educational and nursing services in the public schools.
(b) Those services would be further enhanced if they could be offered with the active support and participation of local public health departments and private medical providers, most particularly in those areas of the state without currently functioning collaborative programs.
(c)
(i) School districts, local health departments, private medical providers, and parents of students are therefore encouraged to work together in determining needs and risks to student health in the state's public schools and in developing and implementing plans to meet those needs and minimize risks to students.
(ii) School community councils or school directors of affected schools shall review the plans prior to their implementation.
(2) School districts are encouraged to provide nursing services equivalent to the services of one registered nurse for every 5,000 students or, in districts with fewer than 5,000 students, the level of services recommended by the Department of Health.

Amended by Chapter 301, 2002 General Session

53A-11-205 Notification to the parent of an injured or sick child.
(1) A public school shall notify the custodial parent and, if requested in writing by a noncustodial parent, make reasonable efforts to notify the noncustodial parent of a student who is injured or becomes ill at the school during the regular school day if:
(a) the injury or illness requires treatment at a hospital, doctor's office, or other medical facility not located on the school premises; and
(b) the school has received a current telephone number for the party it is required to notify or make reasonable efforts to notify.
(2)
(a) Subsection (1) does not apply to a noncustodial parent forbidden to have contact with the student under a court order or similar procedure.
(b) The custodial parent is responsible for providing the school with the noncustodial parent's status under Subsection (2)(a) through a procedure adopted by the local school board.

Enacted by Chapter 3, 2001 Special Session 1

Enacted by Chapter 3, 2001 Special Session 1