

WASHINGTON STATE BOARD OF HEALTH

Date: January 10, 2024

To: Washington State Board of Health Members

From: Socia Love-Thurman, Board Member

Subject: Petition for Rulemaking – Chapter 246-760 WAC, Auditory and Visual Screening Standards in Schools

Background and Summary:

The Administrative Procedures Act (RCW 34.05.330) allows any person to petition a state agency for the adoption, amendment, or repeal of any rule. Upon receipt of a petition, the agency has sixty days to either (1) deny the petition in writing, stating the reasons and, as appropriate, offer other means for addressing the concerns raised by the petitioner, or (2) accept the petition and initiate rulemaking.

On November 8, 2024, the Washington State Board of Health (Board) received a rulemaking petition to amend its school vision screening standards ([chapter 246-760 WAC](#)). The petitioner requests that the Board amend [WAC 246-760-070 \(2\)](#) to include screening for color vision deficiency, also known as colorblindness, as part of the vision screening required for all students enrolled in Washington schools. The petitioner includes an attachment to their petition that provides information about the prevalence of color vision deficiency and the impacts the condition may have on a student's ability to learn. The attachment also states that adding a test for color vision deficiency is inexpensive and can be done quickly, and 11 other states currently require this testing in their screening programs.

Color vision deficiency is a condition that affects a person's perception of color.^{1,2} People with color vision deficiency see colors differently or have difficulty identifying the difference between certain colors.² There are several types of color vision deficiency. The most common type is red-green color vision deficiency, and it affects men more than women. People are also more likely to have color vision deficiency if they have a family history of the condition, have certain eye diseases or health conditions, or if they take certain medications.^{1,2}

The Board has the duty under [RCW 28A.210.020](#) to define and adopt rules for vision and hearing screenings of children attending schools in Washington. Chapter 246-760 WAC lists the standards for school districts to use to conduct these screenings. The purpose of this requirement is to screen and identify students in Washington who may be experiencing vision or hearing impairments and refer them for diagnostic evaluation and care by an appropriate healthcare provider.

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School vision screenings are conducted once per academic year for children in kindergarten and grades one, two, three, five, and seven. If resources permit, schools may expand screenings to other grade levels and conduct optional vision screenings using evidence-based screening tools and techniques. The vision screening sections of chapter 246-760 WAC were last updated in 2017 to add near vision acuity screenings as required by the passage of Senate Bill 6245 ([Chapter 219, Laws of 2016](#)).

[WAC 246-760-070](#) requires that schools conduct distance and near vision acuity screenings using tools and procedures that are linguistically, developmentally and age appropriate. Schools are required to conduct vision screening according to the tool's instructions and screening protocol consistent with the American Association for Pediatric Ophthalmology and Strabismus (AAPOS) and the National Association of School Nurses (NASN) guidance. The screening tools, including rescreening and referral criteria, are outlined by grade level in Table 1 of [WAC 246-760-071](#).

I have invited Molly Dinardo, Board Staff, to provide more information about the petition and color vision deficiency, a brief overview of national childhood vision screening guidelines, and the Board's options for responding to the petition.

Recommended Board Actions:

The Board may wish to consider one of the following motions:

The Board declines the petition for rulemaking to revise applicable sections of chapter 246-760 WAC to include screening for color vision deficiency in the Washington State school vision screening standards and procedures under RCW 28A.210.020 for the reasons articulated by Board Members. The Board directs staff to notify the petitioner of the Board's decision.

OR

The Board accepts the petition for rulemaking to explore options to revise relevant sections of chapter 246-760 to possibly include screening for color vision deficiency in the Washington State school vision screening standards and procedures under RCW 28A.210.020. The Board directs staff to notify the requestor of its decision and to file a CR-101, Preproposal of Inquiry, to further evaluate the request and possible rule change.

Staff

Molly Dinardo

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1. MedlinePlus Genetics. Color vision deficiency. Last Updated January 1, 2015. Accessed December 15, 2023. <https://medlineplus.gov/genetics/condition/color-vision-deficiency/>
 2. National Eye Institute. Color Blindness. Last Updated November 15, 2023. Accessed December 15, 2023. <https://www.nei.nih.gov/learn-about-eye-health/eye-conditions-and-diseases/color-blindness>