

BILL: House Bill 427
TITLE: Public Schools – Student Sunscreen Use – Policy
DATE: February 8, 2018
POSITION: OPPOSE
COMMITTEE: Ways and Means Committee
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE), representing all of the state's local boards of education, opposes House Bill 427.

House Bill 427 would require each local board to adopt a written policy authorizing a student to possess and use sunscreen on school property or at a school-sponsored activity without written permission from a health care provider. MABE fully appreciates the intentions of this bill to ensure that students are able to apply sunscreen in order to avoid potentially harmful exposure to the sun. However, MABE does not believe this bill is necessary. In addition, MABE and local school systems are concerned about the provision of the bill which would mandate that local board policies allow school personnel to apply sunscreen to students. MABE firmly believes this provision overly intrudes into the policy-making role of local boards as it relates to the protection of student health and safety.

Fortunately, Maryland's adopted school health guidelines already ensure that school nurses and other staff are engaged in implementing sun safety measures. The Annotated Code of Maryland, Education Article, §7-401, requires the Maryland State Department of Education (MSDE) and the Maryland Department of Health and Mental Hygiene (DHMH) to jointly develop public standards and guidelines for school health programs. According to the Guidelines adopted in 2007:

“School nurses, school administrators, school staff, parents, students, and community partners may initiate a school-wide assessment of current sun safety habits among staff, students, school environment and school policies.”

“Once an assessment of existing sun safety practices is completed, specific recommendations can be determined and should include reviewing the local school system policy regarding the use of sunscreen by students. Sunscreen is not considered a medication and is intended to protect the skin from harmful effects of UV radiation. Develop a policy that allows students to use the sunscreen they bring to school.”

Again, MABE believes the State's school health guidelines already provide a reasonable process for the assessment of school system policies and school-based practices in this important area of student health and safety.

For these reasons, MABE requests an unfavorable report on House Bill 427.