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HOUSE BILL NO. 1408

Offered January 11, 2017

Prefiled September 26, 2016

A BILL to amend and reenact § 22.1-273 of the Code of Virginia, relating to student vision screenings.

Patrons—Ware, Robinson and Kory

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:**1. That § 22.1-273 of the Code of Virginia is amended and reenacted as follows:****§ 22.1-273. Vision and hearing of student to be tested.***A. As used in this section:**"Comprehensive vision program" means a program that incorporates the following quality-controlled requirements:**1. Staff who perform vision screenings and administer and maintain student paperwork and data related to such screenings are credentialed pursuant to a credentialing process that includes training and certification on vision screening equipment, tuberculosis risk assessment or screening, and documentation from the employing qualified nonprofit vision health organization certifying completion of a search of the registry of founded complaints of child abuse and neglect maintained by the Department of Social Services pursuant to § 63.2-1515 and a search of the Central Criminal Records Exchange through the Federal Bureau of Investigation based on fingerprints and personal descriptive information for the purpose of obtaining criminal history record information;**2. The vision screening program is based on best practices as determined by scientific research and program performance and is evaluated by an advisory council consisting of representatives of the ophthalmology, optometry, elementary and secondary education, and school health fields;**3. Vision screening results are communicated to parents in a relevant and informative format that is designed to increase parental awareness and encourage parental action;**4. Parents receive education on the difference between vision screenings and eye examinations, the importance of taking action on a referral for an eye examination, the identification of potential vision problems beyond the results or scope of the vision screening, and the importance of vision to a child's education and success;**5. Parents with financial need are provided with follow-up resources related to eye examinations and eyeglasses; and**6. Vision screening results are managed for the purposes of reporting, outcome measurement, and program analysis.**"Qualified nonprofit vision health organization" means a nonprofit organization that is exempt from taxation under § 501(c)(3) of the Internal Revenue Code and that has at least 10 years of direct experience in the delivery of vision and vision education services.**B. The Superintendent of Public Instruction shall prepare or cause to be prepared, with the advice and approval of the State Health Commissioner, suitable test cards, blanks, record books, and other appliances for testing the ~~sight~~ vision and hearing of the ~~pupils~~ students in the public schools and necessary instructions for the use thereof. The State Department of Education shall furnish the same free of expense to all schools in a school division upon request of the school board of such division accompanied by a resolution of the school board directing the use of such test cards, blanks, record books, and other appliances in the schools of the school division.**C. Within the time periods and at the grades provided in regulations promulgated by the Board of Education, the principal of each such school shall cause the ~~sight and~~ hearing of the relevant ~~pupils~~ students in the school to be tested, unless such students are ~~pupils~~ students admitted for the first time to a public ~~kindergarten~~ or elementary school who have been so tested as part of the comprehensive physical examination required by § 22.1-270 or the parents or guardians of such students object on religious grounds and the students show no obvious evidence of any defect or disease of the ~~eyes or~~ ears. The principal shall keep a record of such examinations in accordance with instructions furnished. Whenever a ~~pupil~~ student is found to have any defect of ~~vision or~~ hearing or a disease of the ~~eyes or~~ ears, the principal shall forthwith notify the parent or guardian, in writing, of such defect or disease. Copies of the report shall be preserved for the use of the Superintendent of Public Instruction as he may require.**D. The principal of each public elementary school shall cause the vision of students enrolled in kindergarten and students enrolled in grade two or grade three to be tested by a qualified nonprofit*

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59 vision health organization that uses a digital photoscreening method pursuant to a comprehensive vision
60 program, unless such students are students admitted for the first time to a public elementary school who
61 have been so tested as part of the comprehensive physical examination required by § 22.1-270 or the
62 parents or guardians of such students object on religious grounds and the students show no obvious
63 evidence of any defect or disease of the eyes. The scheduling of such examinations shall be completed
64 no later than the sixtieth administrative working day of the school year. The principal shall keep a
65 record of such examinations in accordance with instructions furnished. Whenever a student is found to
66 have any defect of vision or a disease of the eyes, the principal shall forthwith notify the parent or
67 guardian, in writing, of such defect or disease. Copies of the report shall be preserved for the use of the
68 Superintendent of Public Instruction as he may require.

69 E. The principal of each public middle school and high school shall cause the vision of students
70 enrolled in grade seven and grade 10 to be tested by a qualified nonprofit vision health organization
71 that uses a digital photoscreening method pursuant to a comprehensive vision program, unless the
72 parents or guardians of such students object on religious grounds and the students show no obvious
73 evidence of any defect or disease of the eyes. The scheduling of such examinations shall be completed
74 no later than the sixtieth administrative working day of the school year. The principal shall keep a
75 record of such examinations in accordance with instructions furnished. Whenever a student is found to
76 have any defect of vision or a disease of the eyes, the principal shall forthwith notify the parent or
77 guardian, in writing, of such defect or disease. Copies of the report shall be preserved for the use of the
78 Superintendent of Public Instruction as he may require.