

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 22.1-273 of the Code of Virginia, relating to student sight and hearing*  
3 *testing; exception.*

4 [H 1437]  
5 Approved

6 **Be it enacted by the General Assembly of Virginia:**  
7 **1. That § 22.1-273 of the Code of Virginia is amended and reenacted as follows:**  
8 **§ 22.1-273. Sight and hearing of students to be tested; exceptions.**

9 A. The Superintendent of Public Instruction shall prepare or cause to be prepared, with the advice  
10 and approval of the State Health Commissioner, suitable test cards, blanks, record books, and other  
11 appliances for testing the sight and hearing of the ~~pupils~~ *students* in the public schools and necessary  
12 instructions for the use thereof. The ~~State~~ Department of Education shall furnish the same free of  
13 expense to all schools in a school division upon request of the school board of such division  
14 accompanied by a resolution of the school board directing the use of such test cards, blanks, record  
15 books and other appliances in the schools of the school division.

16 B. Within the time periods and at the grades provided in regulations promulgated by the Board of  
17 ~~Education~~, the principal of each such school shall cause the sight and hearing of the relevant ~~pupils~~  
18 *students* in the school to be tested, unless ~~such students are pupils~~.

19 1. *Any such student* is admitted for the first time to a public kindergarten or elementary school ~~who~~  
20 ~~have~~ *and has* been so tested as part of the comprehensive physical examination required by § 22.1-270  
21 ~~or the~~;

22 2. *The parents or guardians of any such students student* object on religious grounds and the ~~students~~  
23 ~~show student shows~~ no obvious evidence of any defect or disease of the eyes or ears; *or*

24 3. *Any such student has an Individualized Education Program or a Section 504 Plan that documents*  
25 *a defect of vision or hearing or a disease of the eyes or ears and the principal determines that such a*  
26 *test would not identify any previously unknown defect of vision or hearing or a disease of the eyes or*  
27 *ears.*

28 C. The principal shall keep a record of ~~such~~ examinations *conducted pursuant to subsection B* in  
29 accordance with instructions furnished.

30 D. Whenever a ~~pupil~~ *student* is found to have any defect of vision or hearing or a disease of the  
31 eyes or ears, the principal shall forthwith notify the parent or guardian, in writing, of such defect or  
32 disease. Copies of the report shall be preserved for the use of the Superintendent of Public Instruction as  
33 he may require.