

House Bill 1402

By: Representatives Hagan of the 156th, Burns of the 159th, Erwin of the 32nd, Donatucci of the 105th, Ballard of the 147th, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to health of students, so as to require vision and hearing screening for all
3 public school students enrolled in pre-kindergarten through third grade; to require advance
4 notification to parents and guardians; to provide for parents and guardians to opt their
5 children out of such screenings; to require notification to parents and guardians of children
6 who fail one or both screenings; to require local school systems and other public schools to
7 report information to the Department of Public Health; to require the Department of Public
8 Health to annually report such information to the General Assembly; to require the
9 Department of Public Health to provide training to school personnel and others to administer
10 such screening; to require the Department of Public Health, in collaboration with the State
11 Board of Education, to promulgate policies, rules, and regulations; to provide for grants to
12 local school systems to acquire screening equipment; to require the Department of Education
13 to administer such grants; to provide for related matters; to repeal conflicting laws; and for
14 other purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

16
17 Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
18 relating to health of students, is amended by adding a new Code section to read as follows:

19 "20-2-770.1.

20 (a) Vision and hearing screenings shall be administered to all public school students
21 enrolled in pre-kindergarten through third grade. Such screenings shall be facilitated and
22 coordinated by the public schools and shall take place at a public school. Such screenings
23 shall be administered directly by trained public school personnel or in cooperation with
24 trained personnel of a duly qualified third-party organization.

25 (b)(1) Each local school system or other public school shall notify the parent or guardian
26 of each child who fails a vision screening, a hearing screening, or both.

27 (2) Prior approval of parents or legal guardians of public school students for such
28 screenings shall not be required; provided, however, that parents and guardians shall be
29 provided advance written notice of the time and place of the screenings to be
30 administered to their children; and provided, further, that if the parent or legal guardian
31 of a child objects to such child being administered a hearing or vision screening, such
32 child shall be exempt from such screening.

33 (c)(1) Each local school system and other public school shall provide the following
34 information to the Department of Public Health for each school:

35 (A) Total school population by grade;

36 (B) Total number of students screened for vision and hearing by grade;

37 (C) Total number of students that passed vision and hearing screening by grade;

38 (D) Total number of students that failed vision and hearing screening by grade;

39 (E) Total number of students that opted out of screening by grade; and

40 (F) Total number of medical exclusions by grade.

41 (2) The information required by paragraph (1) of this subsection shall be provided to the
42 Department of Public Health within 30 days of screenings conducted pursuant to this
43 Code section.

44 (d) The Department of Public Health shall:

45 (1) Provide training to public school personnel and others who administer the screenings
46 required by this Code section;

47 (2) By December 1 each year, provide a report to the General Assembly of the data
48 received from local school systems and other public schools pursuant to subsection (c)
49 of this Code section; and

50 (3) In collaboration with the State Board of Education, promulgate policies, rules, and
51 regulations to provide for the vision and hearing screenings of public school students
52 required by this Code section, the training for school personnel and others who will
53 administer such screenings, and to implement all other purposes of this Code section.

54 (e) Subject to appropriations, a one-time grant in an amount not to exceed \$15,000.00 per
55 local school system shall be provided to each local school system to be used exclusively
56 for the purposes of acquiring vision screening and auditory screening equipment, if
57 needed, to conduct the screenings required by this Code section. The Department of
58 Education shall be responsible for administering such grants."

59 **SECTION 2.**

60 All laws and parts of laws in conflict with this Act are repealed.