

House Bill 1410

By: Representatives Cummings of the 39th, Schofield of the 63rd, Davis of the 87th, and Scott of the 76th

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 2 of Title 20 and Chapter 2A of Title 31 of the Official Code of Georgia
2 Annotated, relating to elementary and secondary education and the Department of Public
3 Health, respectively, so as to modernize vision screening and literacy readiness requirements
4 for elementary and secondary school students; to provide for regular vision screenings by
5 certain personnel; to provide for parent notification; to provide for a parent or legal guardian
6 to opt out of vision screening at school; to provide for referrals; to provide for data sharing
7 between the State Board of Education and the Department of Public Health; to provide for
8 annual reports; to provide for privacy protections; to create the Georgia Vision Access Fund;
9 to provide for standards for vision screenings; to provide for certifications; to provide for
10 rules and regulations; to provide for related matters; to provide for a short title; to provide
11 for legislative findings and intent; to provide for an effective date; to repeal conflicting laws;
12 and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 **SECTION 1.**

15 This Act shall be known and may be cited as the "Georgia Student Vision and Literacy
16 Readiness Act."

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SECTION 2.

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18 (a) The General Assembly finds that:

19 (1) Vision is essential to learning and literacy, and more than 80 percent of classroom
20 instruction depends upon visual processing;21 (2) Children with undiagnosed or uncorrected vision problems are more likely to struggle
22 with reading proficiency by third grade, directly affecting educational attainment;23 (3) Traditional vision acuity testing using wall charts and occluders are labor intensive and
24 time consuming and often fail to detect several conditions that interfere with reading and
25 comprehension, including astigmatism, farsightedness, eye teaming and focusing issues,
26 amblyopia, certain serious eye disease, and loss of peripheral vision;27 (4) Modern vision screenings using advanced digital technology and instrument based
28 devices such as photoscreeners and autorefractors provide faster and more accurate
29 detection; and30 (5) Integrating reliable vision data with literacy intervention initiatives will strengthen
31 Georgia's state-wide reading proficiency goals.

32 (b) It is therefore the intent of the General Assembly to:

33 (1) Establish periodic, evidence based vision screening for all K-12 students using
34 advanced digital technology or instrument based devices;35 (2) Ensure timely referral, comprehensive examination, and closure of all failed
36 screenings;

37 (3) Integrate vision health outcomes into literacy readiness indicators; and

38 (4) Support equitable access to eye care through state and federal funds.

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SECTION 3.40 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
41 secondary education, is amended in Part 3 of Article 16, relating to health of students, by

42 revising Code Section 20-2-770, relating to rules and regulations for nutritional screening
43 and eye, ear, and dental examinations of students, as follows:

44 "20-2-770.

45 (a) The Department of Public Health is authorized and directed, in cooperation with the
46 State Board of Education, to promulgate rules and regulations to provide for a nutritional
47 screening and eye, ear, and dental examinations or screenings for each student entering the
48 first grade in the public schools of this state and at such other times as such rules and
49 regulations shall provide. Such rules and regulations shall provide procedures for local
50 boards of health to provide for such examinations and or screenings and for the issuance
51 of a certificate to the parent or parents of children entering the first grade indicating that
52 such examinations and or screenings have been made, and such certificates shall be turned
53 in to the school officials at the time of enrollment. Such rules and regulations shall further
54 provide that the examinations and or screenings required in this Code section may be made
55 by private practitioners and authorize the certification provided for in this Code section by
56 such private practitioners.

57 (b) No later than August 1, 2027, each local school system and public school shall ensure
58 that every student enrolled in kindergarten through grade 12 in such school system or
59 school receives a vision screening upon initial enrollment and at each of the following
60 levels: kindergarten and grades one, three, five, seven, and ten. Local school systems and
61 public schools may conduct additional vision screenings as resources permit.

62 (c) The Form 3300 Certificate of Vision, Hearing, Dental, and Nutrition Screening shall
63 be required at initial enrollment in a school and shall include notation of compliance with
64 requirements for vision screenings provided for in Code Section 31-2A-21.

65 (d) Vision screenings may be performed by a school nurse, trained school health
66 personnel, contracted healthcare professional, licensed optometrist, licensed
67 ophthalmologist, Department of Public Health employee, a contractor certified by the
68 Department of Public Health pursuant to Code Section 31-2A-21, or a trained volunteer.

69 (e) The parent or legal guardian of a student subject to a scheduled vision screening at a
70 school shall be notified at least five school days prior to such screening being conducted
71 at such school and given the opportunity to opt the student out of such screening.

72 (f) The parent or legal guardian of a student who fails to meet vision screening thresholds
73 shall be notified of the results of such screening within ten school days of such screening.
74 Such notification shall include a referral for a comprehensive eye examination by a
75 licensed optometrist or ophthalmologist and information regarding financial assistance
76 available under the Georgia Vision Access Fund as provided for in Code Section 31-2A-21.

77 (g) A school shall make reasonable efforts consistent with federal and state privacy laws
78 to verify completion of a comprehensive eye examination and shall close referrals within
79 sixty school days of the referral.

80 (h) Each local school system and public school shall annually report to the State Board of
81 Education the number of vision screenings conducted, the number of students failing to
82 meet vision screening thresholds, the number of completed comprehensive eye
83 examinations, and such additional data as may be required under subsection (i) of this Code
84 section.

85 (i) The State Board of Education and the Department of Public Health shall jointly develop
86 a secure, de-identified data-sharing protocol linking aggregated vision screening outcomes
87 with state-wide literacy performance indicators to inform early reading interventions and
88 resource allocation. The Department of Public Health shall publish summaries of such
89 information for the state and each local school system and public school in a de-identified
90 format consistent with federal and state privacy laws."

91 **SECTION 4.**

92 Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to the Department
93 of Public Health, is amended in Article 1, relating to general provisions, by adding a new
94 Code section to read as follows:

95 "31-2A-21.

96 (a) There is created the Georgia Vision Access Fund as a separate fund in the state
97 treasury, to be administered by the Department of Public Health for the purpose of:

98 (1) Procuring and maintaining advanced digital technology and instrument based devices
99 for the vision screenings provided for in Code Section 20-2-770;

100 (2) Training personnel for conducting such screenings;

101 (3) Covering the cost of comprehensive eye examinations, eyeglasses, or related vision
102 care for uninsured or underinsured students as a result of such screenings; and

103 (4) Covering the cost of travel vouchers, weekend events, and on-site dispensing
104 partnerships to deliver services or glasses as a result of such screenings.

105 (b) The Georgia Vision Access Fund may receive state appropriations, grants, gifts, and
106 donations.

107 (c) The Department of Public Health, in consultation with the State Board of Education,
108 shall adopt modernized, evidence based vision screening standards, taking into
109 consideration established federal and state guidelines. Such standards shall be reviewed
110 and updated at least every five years. Such standards shall:

111 (1) Prioritize the use of advanced digital technology or instrument based devices capable
112 of automated, objective vision screening;

113 (2) Permit the use of traditional vision acuity testing using wall charts and occluders
114 when advanced digital technology or instrument based devices are unavailable or
115 inappropriate; and

116 (3) Define vision screening thresholds, re-screening procedures, device specifications,
117 and training requirements for personnel conducting vision screening.

118 (d) The Department of Public Health is authorized to certify contractors to conduct vision
119 screenings in schools, provided that such certification shall be free and available online.
120 Such contractors may include but not be limited to local health departments, telehealth
121 providers, mobile screening units, and nonprofit partners.

122 (e) The Department of Public Health shall promulgate any rules and regulations necessary
123 to implement the provisions of this Code section."

124 **SECTION 5.**

125 This Act shall become effective upon its approval by the Governor or upon becoming law
126 without such approval.

127 **SECTION 6.**

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