STATE OF NEW YORK

180

2023-2024 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 4, 2023

Introduced by M. of A. MAGNARELLI, STIRPE, SIMON, TAPIA, GONZALEZ-ROJAS, DE LOS SANTOS, BUTTENSCHON, CLARK, SANTABARBARA, GLICK, DAVILA, GIBBS, SILLITTI, JACKSON -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to vision screening examinations in public schools

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 4 of section 905 of the education law, as amended by chapter 477 of the laws of 2004, is amended to read as follows:

4. Vision screening examinations of students in the schools of this state made pursuant to subdivision one of this section, or made pursuant to the by-laws, regulations or practices of the board of education of the city school district of the city of New York, shall be subject to the provisions of this subdivision, and where inconsistent herewith, the provisions of this subdivision shall prevail. In addition to any vision screening examinations otherwise required by the provisions or practices cited in this subdivision, all students who enroll in a school of this state shall be tested for color perception, distance acuity and near vision within six months of admission to the school, or by such other date as may be prescribed in the regulations of the commissioner**, using examination devices and testing methods as may be authorized in the regulations of the commissioner, including but not limited to, the Snellen Eye Test Chart and automated vision screening devices**. The results of any such vision screening examinations, whether made pursuant to this subdivision or pursuant to the provisions or practices cited in this subdivision, shall be in writing and shall be made available to the student's parent or person in parental relation and to any teacher of the student within the school while the student is enrolled in the

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD00330-01-3

school, and shall be kept in a permanent file of the school for at least as long as the minimum retention period for such records, as prescribed by the commissioner pursuant to article fifty-seven-A of the arts and cultural affairs law.

§ 2. This act shall take effect immediately.