

STATE OF NEW YORK

7343

2025-2026 Regular Sessions

IN ASSEMBLY

March 25, 2025

Introduced by M. of A. ROSENTHAL -- read once and referred to the
Committee on Education

AN ACT to amend the education law, in relation to required vision
screenings for public school students; and to amend the state finance
law, in relation to establishing the school vision examination screen-
ing fund

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

1 Section 1. Subdivision 4 of section 905 of the education law, as
2 amended by chapter 477 of the laws of 2004, is amended to read as
3 follows:
4 4. (a) Vision screening examinations of students in the schools of
5 this state made pursuant to subdivision one of this section, or made
6 pursuant to the by-laws, regulations or practices of the board of educa-
7 tion of the city school district of the city of New York, shall be
8 subject to the provisions of this subdivision, and where inconsistent
9 herewith, the provisions of this subdivision shall prevail. In addition
10 to any vision screening examinations otherwise required by the
11 provisions or practices cited in this subdivision, all students who
12 enroll in a school of this state shall be tested for color perception,
13 distance acuity and near vision within six months of admission to the
14 school, or by such other date as may be prescribed in the regulations of
15 the commissioner. The results of any such vision screening examinations,
16 whether made pursuant to this subdivision or pursuant to the provisions
17 or practices cited in this subdivision, shall be in writing and shall be
18 made available to the student's parent or person in parental relation
19 and to any teacher of the student within the school while the student is
20 enrolled in the school, and shall be kept in a permanent file of the
21 school for at least as long as the minimum retention period for such
22 records, as prescribed by the commissioner pursuant to article fifty-
23 seven-A of the arts and cultural affairs law.

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

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1 (b) Every student under the age of six entering a public preschool or
2 elementary school for the first time shall undergo a comprehensive eye
3 exam conducted by a licensed optometrist or ophthalmologist. Such opto-
4 metrist or ophthalmologist shall provide proof of such vision examina-
5 tion for a parent or person in parental relation to file with the school
6 where the student is enrolled. Any student who fails a school adminis-
7 tered vision screening examination shall be required to undergo a
8 comprehensive eye exam conducted by a licensed optometrist or ophthal-
9 mologist and submit proof of such eye exam within sixty days of notifi-
10 cation of failing such vision screening examination.

11 (c) The department shall promulgate rules and regulations on how
12 schools will communicate with students' parents or persons in parental
13 relation before and after conducting vision screening examinations
14 pursuant to paragraph (a) of this subdivision, including:

15 (i) informing such parents or persons in parental relation of the date
16 that such vision screening examination will be conducted;

17 (ii) advising such parents or persons in parental relation that an
18 in-school vision screening examination is not the equivalent of a
19 comprehensive eye exam performed by a licensed optometrist or ophthal-
20 mologist; and

21 (iii) providing the results of such vision screening examination in a
22 clear and easily understandable format to such parents or persons in
23 parental relation;

24 (iv) informing the parents or persons in parental relation of students
25 who fail a vision examination screening of such parents' or persons in
26 parental relation's duty to ensure that such student receives a compre-
27 hensive eye exam from a licensed optometrist or ophthalmologist; and

28 (v) providing such parents or persons in parental relation with a list
29 of resources for low-cost or no-cost pediatric eye exams and publishing
30 such list on the department's website. The department shall update such
31 list on an annual basis.

32 (d) The department shall provide examination screenings to students
33 without health insurance at no cost. The department shall deposit all
34 monies appropriated to carry out the purposes of this paragraph to the
35 credit of the school vision examination fund established pursuant to
36 section ninety-nine-ss of the state finance law.

37 § 2. The state finance law is amended by adding a new section 99-ss to
38 read as follows:

39 § 99-ss. School vision examination fund. 1. There is hereby estab-
40 lished in the custody of the state comptroller a special fund to be
41 known as the school vision examination fund.

42 2. Such fund shall consist of all monies deposited pursuant to para-
43 graph (d) of subdivision four of section nine hundred five of the educa-
44 tion law, and all other monies credited or transferred thereto from any
45 other fund or source pursuant to law.

46 3. Monies of the fund shall be expended solely for the purposes of
47 conducting in-school comprehensive vision examinations for students
48 without health insurance who are required to receive a comprehensive eye
49 examination from a licensed optometrist or ophthalmologist pursuant to
50 section nine hundred five of the education law. Monies shall be paid out
51 of the fund on the audit and warrant of the state comptroller on vouch-
52 ers approved by the commissioner of education. Any interest received by
53 the comptroller on monies on deposit in the school vision examination
54 fund shall be retained in and become part of such fund.

55 § 3. This act shall take effect immediately.