

By: Representatives Bennett, Sykes

To: Education

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 829

1 AN ACT TO AMEND SECTION 37-3-87, MISSISSIPPI CODE OF 1972, TO  
2 RECOMMEND A COMPREHENSIVE EYE EXAMINATION FOR ALL STUDENTS PRIOR  
3 TO ENTERING OR ENROLLING FOR THE FIRST TIME IN A PUBLIC, PRIVATE  
4 OR PAROCHIAL SCHOOL; TO PROVIDE STANDARDS FOR REQUIRED EYE  
5 EXAMINATIONS; TO DIRECT THE STATE DEPARTMENT OF EDUCATION WITH  
6 INPUT FROM THE MISSISSIPPI VISION FOUNDATION TO DEVELOP AND ISSUE  
7 REGULATIONS ESTABLISHING STANDARDS FOR THE STUDENT EYE EXAMINATION  
8 PROGRAM; AND FOR RELATED PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 **SECTION 1.** Section 37-3-87, Mississippi Code of 1972, is  
11 amended as follows:

12 37-3-87. (1) This section shall be known and may be cited  
13 as the "Mississippi Vision for Better Learning Program."

14 (2) Beginning July 1, 2018, prior to a student entering or  
15 enrolling for the first time in a Mississippi public, private or  
16 parochial school approved and accredited by the State Board of  
17 Education, every student may have a comprehensive eye examination  
18 performed by an optometrist or ophthalmologist. Before the end of  
19 the first semester of the start of the school year, the parent or  
20 guardian of each student shall present, to the appropriate school  
21 personnel, evidence that the student passed an eye examination



22 within the previous six (6) months or a waiver by the parent or  
23 guardian of each student opting out of the eye examination. For  
24 purposes of this subsection, the term "waiver" means any written  
25 notification from the parent or guardian in typed or handwritten  
26 format and signed by the parent or guardian. The waiver may also  
27 be in a form designed in accordance with the rules promulgated by  
28 the department. The State Department of Education, with the  
29 advice of the Mississippi Vision Foundation, on or before July 1,  
30 2018, shall promulgate rules establishing the criteria for meeting  
31 the requirements of this comprehensive eye examination, which  
32 shall include, but not be limited to, the following:

33 (a) A measurement of visual acuity; ocular alignment  
34 and motility; depth perception-stereopsis; fusion; slit lamp;  
35 examination of the anterior segment, posterior segment and pupils;  
36 and cycloplegic refraction and dilated fundus examination when  
37 deemed appropriate by the examiner;

38 (b) Any eye doctor who conducts a comprehensive eye  
39 examination of a student given in accordance with the provisions  
40 of this section shall forward a written report of the results of  
41 the examination to the parent or guardian of such student and the  
42 student's primary health care provider. It shall be the  
43 responsibility of the parent or guardian to forward a copy of the  
44 report to school health personnel. The report shall include, but  
45 not be limited to, the following:

46 (i) The date of report;



47                   (ii) The name, address and date of birth of the  
48 student;

49                   (iii) The name of the student's school;

50                   (iv) The type of examination;

51                   (v) A summary of significant findings, including  
52 diagnosis, medication used, duration of action of medication,  
53 treatment, prognosis and whether or not a return visit is  
54 recommended, and if so, when;

55                   (vi) Recommended educational adjustments and  
56 accommodations for the student, if any, which may include:  
57 preferential seating in the classroom, eyeglasses for full-time  
58 use in school, eyeglasses for part-time use in school,  
59 sight-saving eyeglasses or any other recommendations; and

60                   (vii) The name, address and signature of the  
61 examiner; and

62                   (c) Enforcement of the provisions of this subsection  
63 (2) shall be performed by the local school superintendent, or his  
64 designee, the headmaster of the private or parochial school, or  
65 his designee, or the director of the kindergarten program, as  
66 appropriate.

67                   ( \* \* \*3) In addition to the comprehensive eye examination  
68 required under subsection (2) of this section, the State  
69 Department of Education is hereby authorized and empowered to  
70 establish a student vision-screening program to make eye-screening  
71 services available to students in Grades K-12 in the public



72 schools in order to detect vision problems which can lead to  
73 academic problems. Such eye-screening service shall be based on a  
74 process that is screening in nature, and not diagnostic, which is  
75 intended to identify with a reasonably high probability, students  
76 with a wide range of eye problems who should seek the services of  
77 an eye care professional for examination, diagnosis and corrective  
78 recommendation. Each school shall be provided with a list of the  
79 students screened, and their results. Statistical summaries of  
80 the screening results shall be provided to each school, and  
81 composite statistics by school system, county or district shall be  
82 provided to the State Department of Education. The State  
83 Department of Education may contract with any legal entity to  
84 administer the student vision-screening program on the school  
85 district level, and such contract shall be let on a competitive  
86 basis. State funding for said program shall only be available  
87 subject to appropriation by the Legislature.

88 ( \* \* \*4) The school board of any local school district  
89 shall cooperate with the State Department of Education and any  
90 entity under contract with the departments to implement the  
91 student eye examination or vision-screening programs established  
92 under this section.

93 \* \* \*

94 (5) Any additional costs for student eye examinations that  
95 are not covered by existing insurance or public assistance  
96 programs shall be managed by the Mississippi Vision Foundation.



97           **SECTION 2.** This act shall take effect and be in force from  
98 and after July 1, 2018, and shall stand repealed on June 30, 2018.

