* The State Board of Education has illustrated changes to the original text in the following manner: text originally proposed to be added is underlined; text proposed to be deleted is displayed in ~~strikeout~~.

# **Title 5. Education**

**Division 1. California Department of Education**

**Chapter 2. Pupils**

**Subchapter 3. Health and Safety of Pupils**

**Article 4. Vision Testing**

## § 590. Duly Authorized Agency.

1. Pursuant to Education Code ~~S~~section 49452, a county superintendent of schools may contract with and permit districts located within the county to contract with an agency duly authorized by the county superintendent of schools to provide vision tests. ~~which includes~~ Such agencies may include, but are not limited to, a city or county health department, a local health district, or the State Department of Health Services.
2. Duly authorized agencies must provide evidence upon request to the California Department of Education and county superintendents that individuals giving vision tests have received comprehensive training on the latest evidence-based pupil’s vision screening techniques. This evidence requirement may be met by providing one of the following documents:
3. A statement from the authorized agency that the individuals have satisfactorily completed an acceptable course of in-service training in techniques and procedures in vision testing of at least six clock hours and that the individuals are qualified to administer vision tests to pupils.
4. A transcript from an accredited college or university evidencing that the individuals have successfully completed an acceptable course in vision testing of at least one semester unit.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 44873, 44877, 44878, and 49452, Education Code.

## § 591. Employees Authorized to Give Vision Tests.

 (a) An employee of a school district or of a county superintendent of schools may be authorized to give vision tests pursuant to Education Code ~~S~~section 49452 and may be designated a “duly qualified supervisor of health” within the meaning of that section if the employee is:

 (1) A physician and surgeon or osteopath employed pursuant to Education Code ~~S~~section 44873.

 (2) A school nurse employed pursuant to Education Code ~~S~~section 44877.

 (3) An optometrist employed pursuant to Education Code ~~S~~section 44878.

 (b) Any other certificated employee of the school district or of the county superintendent of schools may be authorized to give vision tests pursuant to Education Code ~~S~~section 49452 if the employee has one of the following documents:

 (1) A statement from a qualified supervisor of health that the employee has satisfactorily completed an acceptable course of in-service training in techniques and procedures in vision testing of at least six clock hours given by the qualified supervisor of health making the statement and that the employee is qualified to administer vision tests to pupils.

 (2) A transcript from an accredited college or university evidencing that the employee has successfully completed an acceptable course in vision testing of at least one semester unit.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 44873, 44877, 44878, ~~and~~ 49452, and 49455, Education Code.

## § 594. Test of Visual Acuity.

1. The test of visual acuity administered pursuant to Education Code sections 49452 and 49455 shall mean a test for visual acuity at both the far point and near point. This shall be conducted by means of an optotype test or any other scientifically validated photoscreening test that measures visual acuity. ~~Test failure for the visual acuity test shall be defined as follows:~~
2. Test failure for the far point visual acuity test shall be defined as follows:

 (1) For ~~children under six~~ pupils five years of age: Visual acuity of ~~20/50~~ 20/40 or worse. The designation ~~20/50~~ 20/40 or worse indicates the inability to identify accurately the majority of letters or symbols on the 20-foot line of the test chart at a distance of 10 feet.

 (2) For ~~children~~ pupils six years of age or older: Visual acuity of ~~20/40~~ 20/32 or worse. This means the inability to identify the majority of letters or symbols on 15-foot line of the chart at a distance of 10 feet.

 (3) For all ~~children~~ pupils: A difference of visual acuity between the two eyes of two lines or more on the optotype chart.

(c) Test failure for the near point visual acuity test shall be defined as follows:

 (1) For all pupils: Visual acuity of 20/32 or worse. The designation 20/32 or worse indicates the inability to identify accurately the majority of letters or symbols on the test chart at a distance of 16 inches with both eyes open.

 ~~(b)~~ (d) For pupils who, because of age or special needs are not able to be tested with an optotype test, other types of vision testing, such as a functional vision ~~test~~ screening or instrument-based screening, may be utilized, using procedures and criteria of failure as described by the manufacturer.

 ~~(c)~~ (e) If a pupil fails a vision test that is conducted by an employee authorized to give vision tests pursuant to subdivision (b) of ~~S~~section 591 or subdivision (a) of section 597, a reevaluation shall be conducted prior to a report being made to the pupil's parent or guardian. This reevaluation shall be conducted by an employee authorized to give vision tests pursuant to subdivision (a) of ~~S~~section 591.

 ~~(d)~~ (f) If a pupil fails a vision test conducted by an employee authorized to give vision tests pursuant to subdivision (a) of ~~S~~section 591, a report shall be made to the pupil's parent or guardian as required by Education Code ~~S~~section 49456.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 3308.5, 49452, 49455 and 49456, Education Code.

## § 596. Gross External Observation of the ~~Children's~~ Pupils’ Eyes, Visual Performance and Perception.

 Gross external observation of the ~~children's~~ pupils’ eyes, visual performance and perception, pursuant to Education Code sections 49452 and 49455, shall mean continuous observation by teachers of the appearance, behavior and complaints of pupils that might indicate vision problems. ~~Also, periodic investigation~~ Continual and regular observation by the teacherwhere a pupil’s ~~pupils'~~ school performance begins to give evidence that existence of the problem might be caused by a visual difficulty~~. Such an evaluation~~ shall be done in consultation with the school nurse.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 49452 and 49455, Education Code.

## § 597. Appraisals Using Scientifically Validated Photoscreening Tests

(a) Employees, or trained individuals, as defined in section 591, are permitted to conduct vision screenings using photoscreening tests only under an agreement with, or supervision of, an optometrist or ophthalmologist pursuant to Education Code section 49455.

 (1) Employees and individuals conducting vision screenings using photoscreening equipment must be trained in the proper use of such equipment.

 (b) Acceptable scientifically validated photoscreening tests shall be limited to those tests recognized as best practice or acceptable practice as determined by the California Department of Education.

NOTE: Authority cited: Section 33031, Education Code. Reference: Sections 49455, Education Code.

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