§ 905. Record of screening examinations for vision, hearing and scoliosis. 1. The director of school health services of each school district in this state that is required to provide school health services, or the health department or agency otherwise responsible to provide such services, shall conduct screening examinations of vision, hearing, and scoliosis of all students at such times and as defined in the regulations of the commissioner, and at any time deemed necessary.

2. Notwithstanding any other provisions of any general, special or local law, the school authorities charged with the duty of making such screening examinations of students for the presence of scoliosis pursuant to this section shall not suffer any liability to any person as a result of making such screening examination, which liability would not have existed by any provision of law, statutory or otherwise, in the absence of this section. The positive results of any such screening examinations of students for the presence of scoliosis shall be in writing and the parent of, or person in parental relation to, any child in whom the presence of scoliosis is found shall be advised of such results by the school authorities within ninety days after the finding of the presence of scoliosis is made.

3. The provisions of this section relative to examination for scoliosis shall be waived by the commissioner upon the filing, in accordance with rules and regulations to be established and promulgated by the commissioner, of a resolution, duly adopted by a board of education, stating that the school district does not have the capability to comply with this section relative to the examination for scoliosis and that such compliance would place a financial cost upon the school district, provided, however, that such resolution may not be adopted prior to the holding of a public hearing on such proposed resolution. Such rules and regulations to be established and promulgated by the commissioner in accordance with this section shall include, but not be limited to, the date for filing such resolution by a board of education and to the dates for filing subsequent resolutions.

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. 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 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.

5. Notwithstanding any provision of this section to the contrary, no screening examinations for vision, hearing, or scoliosis condition shall be required where a student or the parent or person in parental relation to such student objects thereto on the grounds that such examinations conflict with their genuine and sincere religious beliefs.