§ 1702. Board of education; election; terms of office. 1. Whenever a union free school district shall be established, pursuant to the provisions of subdivision three of section fifteen hundred four of this chapter, or, pursuant to the provisions of sections fifteen hundred twenty-two and fifteen hundred twenty-three of this chapter, it shall be the duty of the meeting at which such union free school district is established to elect by ballot not less than three nor more than nine trustees, who shall, by the order of such meeting, be divided into a sufficient number of classes so that as nearly as possible an equal number of members shall be elected to the board each year, based upon a normal term of three, four or five years, as such meeting may determine. Thereafter there shall be elected in such districts, at the annual meeting, trustees to take the places of those whose terms of office expire. Such successors shall be elected to serve for a full term of three, four or five years, as the case may be.

2. The trustees thus elected, shall enter at once upon their offices, and the office of any existing trustees in such districts, before the establishment of a union free school district therein, shall cease, except for the purposes stated in section fifteen hundred eighteen of this chapter. The said trustees and their successors in office shall constitute the board of education of the union free school district thus established.

3. Each union free school district that operates a high school shall establish a process for designating at least one student as an ex officio member pursuant to paragraph c of this subdivision. If, prior to August fifth, two thousand three, a school district had a policy that allowed a student or students to be ex officio members of the school board, such policy shall be deemed to meet the requirements of this subdivision and shall be deemed to have full legal effect. In any district that contains more than one high school, such process shall take into consideration the number of high schools within the district and provide for a mechanism which allows for fair representation among the schools. Such school district shall allow such selected student or students to serve as ex officio members of such district's board of education and provided further that:

a. The ex officio student members of the board shall be entitled to sit with board members at all public meetings and hearings of the board and may participate in other board activities and responsibilities at the discretion of the board.

b. The ex officio student members shall not be allowed to vote, shall not be allowed to attend executive session or any other meetings or hearings not open to the public, and shall not be entitled to receive compensation of any form for participating at board meetings.

c. Notwithstanding any other law to the contrary, the ex officio student members of the board may be any of the following: the student that has been duly elected as student president of the high school; a student duly elected by the student body; a student selected by the high school student government; a student selected by the high school principal; a student selected by the superintendent of schools; a student selected by majority vote of the school board.

d. The ex officio student members shall have attended such high school for at least one year prior to selection.