§ 1703. Change in number of members of board of education. 1. The number of members of the board of education of a union free school district may be increased or decreased at an annual meeting by a majority vote of the qualified voters present and voting to be ascertained by taking and recording the ayes and noes or by ballot. The number of members of such board shall not be increased to more than nine nor decreased to less than three.

2. No vote shall be taken upon the proposition to increase or decrease the number of members of such board of education unless the notice of the annual meeting shall contain a statement to the effect that the voters of such district will vote upon such proposition. The board of education of any such district shall, upon the application of at least twenty-five voters or five percent of the number of voters who voted in the previous annual election of the members of the board of education, whichever is greater, such number to be determined by the number of persons recorded on the poll list as having voted at such election, include in the notice of the annual meeting a statement that the proposition to increase or decrease such board will be presented to the annual meeting for determination. If the board refuses or fails to give such notice, the notice may be given in such manner as the commissioner of education may direct.

3. The additional members first elected shall be elected at a special meeting which shall be called by the board and be held not less than thirty nor more than sixty days following the annual meeting at which the number was increased, and pending the first election of such additional members no vacancy shall be deemed to exist in the offices thereof except for the purpose of filling the same by election, notwithstanding any inconsistent provision of any law.