§ 1705. Annexing territory to a union free school district. 1. Territory may be annexed to a union free school district as provided in this section.

a. The commissioner is authorized and empowered to make and enter in the commissioner's office orders dissolving one or more common, union free or central school districts and annexing the territory of such districts, or portions thereof, to one or more adjoining union free school districts, subject to approval of the voters of each school district affected thereby.

b. When an order annexing territory to a union free school district has been made and entered as provided in this section, the commissioner shall, within ten days thereafter, cause certified copies of said order to be filed with the clerk or school authorities of each school district affected thereby. Within thirty days of filing of such order, the commissioner shall fix a time and place for a special meeting of the qualified voters of each school district affected by the proposed annexation and shall cause notice thereof to be posted at least ten days before each such meeting in ten conspicuous places in the school district. In addition to the posting of such notice, a copy thereof shall be duly published, at least three days before each such meeting, in a daily or weekly newspaper published within, or in general circulation in, the school district in which such meeting is to be held. The expense of posting and publishing such notice shall be a charge upon the school district conducting such meeting.

2. Except as provided in this subdivision, any special district meeting held pursuant to paragraph b of subdivision one of this section shall be conducted in accordance with the procedures specified in section eighteen hundred three of this chapter.

a. At a meeting held pursuant to paragraph b of subdivision one of this section, a resolution in substantially the following form shall be presented for the action and determination of the meeting, viz.: "Resolved that the...(insert simplified name of district in accordance with section three hundred fifteen of this chapter) school district be

annexed to the...union free school district (designate union free school district) as provided in the order of the commissioner of education now before this meeting."

b. If at any such meeting the resolution described in paragraph a of this subdivision shall be presented and shall not be adopted, there shall be no further proceedings at such meeting, except a motion to reconsider the question. No such meeting shall again be called by the commissioner within one year after such original meeting. If no meeting shall be called to reconsider the question within two years after such original meeting, or if at any such meeting called within two years after such original meeting the resolution shall again be rejected by the voters, the order of the commissioner to which the resolution relates shall be deemed null and void and of no further force or effect.

c. If the resolution submitted to the voters as provided in paragraph a of this subdivision shall be adopted by the voters of each school district affected by the order of the commissioner, the territory described therein shall thereupon be annexed to the existing union free school district or districts as provided in such order.

3. Whenever a common school district, union free school district or central school district becomes a part of a union free school district pursuant to the provisions of this section, the union free school district of which any such district shall have become a part, shall succeed to all the property rights of such common, union free or central school districts and all indebtedness of any such school district evidenced by bonds or notes or relating to school building construction shall become a charge upon such union free school district of which such district shall have become a part, but all other indebtedness of any such district shall be paid by any such district in accordance with the provisions of section fifteen hundred eighteen of this chapter and to that extent any such district shall continue to exist in law for the purpose of providing for and paying all such indebtedness in accordance with the provisions of such section.

4. Notwithstanding any other provision of law, whenever a common

school district, union free school district or central school district is annexed in its entirety to a union free school district pursuant to this section, all employees of the former school districts at the time of dissolution shall immediately become employees of the reorganized union free school district, shall retain their tenure and/or employment status and the seniority gained in the annexed district, and the seniority list of the employees of the annexed school district shall be merged with the seniority list of the employees of the annexing school district. If the number of teaching positions needed to provide services in the reorganized union free school district is less than the number of teachers considered to be employees of the reorganized union free school district pursuant to this subdivision, the board of education shall abolish the unneeded positions and place teachers on preferred eligible lists in accordance with section three thousand thirteen of this chapter. For salary, sick leave and other purposes, an employee's length of service with the annexed school district shall be credited as employment time with the annexing union free school district. This section shall in no way be construed to limit the rights of any such employees set forth in this section granted by any other provision of law.