§ 2105. Terms of office. 1. In a common school district having a sole trustee the term of office of trustee shall be one year.

2. In a common school district having three trustees the full term of office of trustee shall be three years.

3. In a central school district or a union-free school district, the full term of office of trustee shall be three, four or five years. Any such school district may decrease the full term of a school trustee to three or four years or increase the full term of a school trustee to four or five years by adopting a proposition at any annual meeting or election to do so; provided, however, that the term of office of each incumbent trustee shall not be increased or decreased thereby; and provided, further, that whenever a proposition shall be adopted to increase the term of office from three or four years to five years, or to decrease the term of office from four or five years to three years, such proposition shall provide that one or more of the vacancies to be filled, during each of the three years next succeeding the adoption of such proposition, shall be for three or four years only in order that, as nearly as possible, an equal number of trustees shall be elected to the board each year.

4. Trustees may be elected for shorter periods as otherwise provided in this chapter.

5. The term of office of a trustee elected at the first meeting of a newly created common school district having a sole trustee shall expire on the first Tuesday of May next thereafter.

6. The term of office of all other district officers shall be one year.

7. One year, within the meaning of this section, is a school year.

8. When a new union free school district is formed, the meeting, after determining the number of members of the board of education to be elected, shall proceed to elect members of the board of education for

various terms not in excess of five years so that as nearly as possible an equal number of vacancies shall occur on the board of education each year.

9. When the number of members of the board of education of a union free school district is increased, the additional members shall be elected for such terms not in excess of five years so that thereafter as nearly as possible an equal number of terms shall expire each year.

10. When the number of members of the board of education of a union free school district is decreased, no election shall be held until the number of members of the board of education shall be equal to or be less than the number of members to which the board of education is decreased. At elections thereafter, the members of the board of education shall be elected for such terms not in excess of five years so that as nearly as possible an equal number of members shall be elected to the board each year.

11. a. Notwithstanding any provision of this section to the contrary, in any union free school district whose boundaries are not coterminous with those of an incorporated village, except a central school district, which under the provisions of law in effect on May first, nineteen hundred fifty-seven, elected members to the board of education for a term of three years, the qualified voters of the district present and voting at the annual meeting of such district held during the year nineteen hundred fifty-eight, may adopt a resolution determining that members of the board of education of such district shall be elected for a term of three years. A certified copy of such resolution shall be filed with the commissioner of education on or before August first, nineteen hundred fifty-eight. The voters of any such district may rescind such resolution by a majority vote of the voters present and voting at a special or annual meeting of the district.

b. Notwithstanding any provision of this section to the contrary, in any central school district whose boundaries are not coterminous with those of an incorporated village, the qualified voters of the district present and voting at the annual meeting of such district held during

the year nineteen hundred fifty-nine may adopt a resolution determining that members of the board of education of such district shall be elected for a term of three years. A certified copy of such resolution shall be filed with the commissioner of education on or before August first, nineteen hundred fifty-nine. The voters of any such district may rescind any such resolution by a majority vote of the voters present and voting at a special or annual meeting of the district.

c. Notwithstanding any provision of this section to the contrary, in any union free school district, the boundaries of which are coterminous with those of an incorporated village, which under the provisions of law in effect on April twenty-first, nineteen hundred fifty-nine, elected members of the board of education for terms of three years, the qualified voters of the district present and voting at the annual meeting of such district held during the year nineteen hundred sixty-one, may adopt a resolution determining that members of the board of education of such district shall be elected for a term of three years. A certified copy of such resolution shall be filed with the commissioner of education on or before August first, nineteen hundred sixty-one. The voters of any such district may rescind such resolution by a majority vote of the voters present and voting at a special or annual meeting of the district.

12. The term of office of trustees of union free school district number one of the town of Tonawanda, Erie county, shall be three years.

13. Until the terms of all members of the board of education of a union free school district, have become five years, or three years when a resolution pursuant to subdivision three or subdivision eleven of this section has been adopted, members of such board of education shall be elected in such numbers and for such terms not in excess of five years, or three years when a resolution pursuant to subdivision three or subdivision eleven of this section has been adopted, so that as soon as practicable an equal number of members of such board of education will be elected each year.

14. Notwithstanding any other provision of this chapter to the

contrary, where a term of office expires at the end of a school year and such position is or becomes vacant at the time of the annual meeting or election, the person elected to fill the full term vacancy shall also be deemed elected to fill the remainder of the term preceding the commencement of the full term.