§ 1711. Appointment of superintendent of schools. 1. The board of education of any union free school district may appoint a superintendent consistent with the provisions of this section.

2. Such superintendent shall possess, unless otherwise specified by the by-laws of the board of education, the following powers and be charged with the following duties:

a. To be the chief executive officer of the school district and the educational system, and to have the right to speak on all matters before the board, but not to vote.

b. To enforce all provisions of law and all rules and regulations relating to the management of the schools and other educational, social and recreational activities under the direction of the board of education.

c. To prepare the content of each course of study authorized by the board of education. The content of each such course shall be submitted to the board of education for its approval and, when thus approved, the superintendent shall cause such courses of study to be used in the grades, classes and schools for which they are authorized.

d. To recommend suitable lists of textbooks to be used in the schools.

e. To have supervision and direction of associate, assistant and other superintendents, directors, supervisors, principals, teachers, lecturers, medical inspectors, nurses, claims auditors, deputy claims auditors, attendance officers, janitors and other persons employed in the management of the schools or the other educational activities of the district authorized by this chapter and under the direction and management of the board of education; to transfer teachers from one school to another, or from one grade of the course of study to another grade in such course, and to report immediately such transfers to such board for its consideration and actions; to report to such board violations of regulations and cases of insubordination, and to suspend an associate, assistant or other superintendent, director, supervisor,

expert, principal, teacher or other employee until the next regular meeting of such board, when all facts relating to the case shall be submitted to such board for its consideration and action.

f. To have supervision and direction over the enforcement and observance of the courses of study, the examination and promotion of pupils, and over all other matters pertaining to playgrounds, medical inspection, recreation and social center work, libraries, lectures, and all other education activities under the management, direction and control of the board of education.

3. Such superintendent shall be under the direction of the board of education, which shall prescribe his or her powers and duties, except as otherwise provided in subdivision two of this section. The superintendent shall be paid a salary, to be fixed by the board of education, and he may be removed from office by a vote of the majority of all the members of such board, provided, however, that a board of education may enter into a contract with such superintendent for a period of not less than three and not more than five years, and upon such other terms as shall be mutually acceptable to the parties, including but not limited to, fringe benefits and procedures for termination by either party prior to the expiration of the term of such contract. The services of such a superintendent of schools may be discontinued at any time by a majority vote of the board of education, and upon sixty days notice in writing to the superintendent of schools. The other terms of any such contract, including any provisions relating to an increase in salary, compensation or other benefits, shall not be based on or tied to the terms of any contract or collective bargaining agreement that the board of education has or will enter with the teachers or other employees of the school district.

4. Notwithstanding any inconsistent provision of law, the provisions of paragraph e of subdivision two of this section relating to the transfer of teachers may be modified by an agreement that is collectively negotiated pursuant to the provisions of article fourteen of the civil service law.