§ 2565. Superintendent of schools, associate superintendents, board of superintendents. 1. The superintendent or an associate superintendent of schools of a city in office on June eighth, nineteen hundred seventeen, shall hold his position for the term for which he was chosen and until his successor is chosen. A superintendent or associate superintendent appointed after such date shall hold his position in a city having a population of two hundred fifty thousand or more for a period not to exceed four years from the date of his appointment and in all cities subject to the pleasure of the board of education, except that in all other cities the superintendent of schools may be appointed for a term of not to exceed five years, provided that the terms or provisions of any employment contract between the superintendent and the board of education 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.

2. A superintendent or an associate superintendent may vacate his position by filing a written resignation with the board of education. No person shall be eligible to the position of superintendent of schools, deputy superintendent of schools, associate superintendent of schools, assistant superintendent of schools or other superintendent of schools or member of a board of examiners in a city unless he shall possess or be entitled to a superintendent's certificate as provided in section three thousand three of this chapter.

3. Notwithstanding the provisions of subdivisions one and two of this section, the superintendent of schools of the Rochester city school district shall serve at the pleasure of the board of education; provided, however, that such term shall, in no event, exceed a period of four years.