§ 2566. Powers and duties of superintendent of schools. The superintendent of schools of a city shall possess, subject to the by-laws of the board of education, the following powers and be charged with the following duties:

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

2. 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.

3. In a city having a population of one million or more, to exercise such administrative and ministerial powers of such board as may be delegated to him by regulation and by-laws of such board in such manner and with the same force and effect as if such powers were given to him by the provisions of the education law.

4. 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.

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

6. To have supervision and direction of associate, assistant, district 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 city authorized by this chapter and under the direction and management of the board of education, except that in the city school districts of the cities of Buffalo, Rochester, and Syracuse to also appoint, within the amounts budgeted therefor, such associate, assistant and district

superintendents and all other supervising staff who are excluded from the right to bargain collectively pursuant to article fourteen of the civil service law; 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 said board for its consideration and action; to report to said board of education violations of regulations and cases of insubordination, and to suspend an associate, assistant, district or other superintendent, director, supervisor, expert, principal, teacher or other employee until the next regular meeting of the board, when all facts relating to the case shall be submitted to the board for its consideration and action.

7. 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 educational activities and interest under the management, direction and control of the board of education.

8. To issue such licenses to teachers, principals, directors, school psychiatrists, school psychologists, school medical inspectors, school aurists, school psychiatric social workers, school social case workers, research assistants, teacher-clerks, school clerks, clerical assistants, industrial or trade helpers in vocational schools, school librarians, laboratory assistants, placement and investigation assistants, financial assistants, machine shop assistants, tool boys, and other members of the teaching and supervising staff as may be required under the by-laws and regulations of the board of education in cities in which such board requires its teachers to hold qualifications in addition to or in advance of or different from, where such qualifications are not provided by the commissioner, the minimum qualifications required under this chapter. All such licenses issued prior to the first day of December, nineteen hundred thirty-four, and all appointments made or hereafter made pursuant to such licenses are hereby authorized and validated against any statutory provision, omission, or irregularity, provided the examination for such license was conducted by the board of examiners in accordance with the by-laws and regulations of the board of education,

notwithstanding the invalidity of any such by-laws and regulations. All such licenses issued by the chancellor prior to the effective date of a chapter of the laws of 1990, entitled "AN ACT to amend the education law and the administrative code of the city of New York, in relation to appointment of teaching service personnel by abolishing the board of examiners in cities having a population of one million or more and to repeal certain provisions of the education law relating thereto" and all appointments made or hereafter made pursuant to such licenses are hereby authorized and validated, notwithstanding any provision of statute or regulation to the contrary. Nothing in this chapter shall affect the rights of persons serving pursuant to appropriate licenses issued prior to the effective date of a chapter of the laws of 1990, entitled "AN ACT to amend the education law and the administrative code of the city of New York, in relation to appointment of teaching service personnel by abolishing the board of examiners in cities having a population of one million or more and to repeal certain provisions of the education law relating thereto" or require them to obtain certifications or licenses not previously required of them.

9. Notwithstanding any inconsistent provision of law, the provisions of subdivision six 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.