

## **49-5-608. Management personnel. —**

(a) (1) During the first month following the initial recognition of a professional employees' organization, and thereafter during the first two (2) months of each fiscal year, the board of education may designate and certify specific individuals as management personnel.

(2) The individuals shall be allowed to retain membership in the recognized professional employees' organization, but shall not be considered to be a part of the negotiating unit.

(3) Upon request, the designated management personnel shall represent the board of education in all negotiation activities.

(4) Management personnel shall not be eligible to represent the recognized professional employees' organization, to vote on whether to accept or reject items to be negotiated or items that have been negotiated or to derive benefits from the negotiation efforts, except those benefits that go to all professional employees of the school system.

(5) Management personnel must be designated by majority vote of the board of education from those employees who devote a majority of their time to the systemwide area or areas of professional personnel management, fiscal affairs or general management.

(b) All management personnel must be certified to the recognized organization within the first two (2) months of the school system's fiscal year. Those certified as management personnel shall be so classified through the current fiscal year only, but are subject to being recertified by the board of education for subsequent years. In the event a certified management person terminates employment or is transferred to a position that disqualifies the person, the board of education shall have thirty (30) days following the filling of the vacated position to name and certify a replacement. The board of education may name and certify management personnel not to exceed the schedule below according to the average daily attendance (ADA) of schools for the previous school year as used by the department of education in allocating state funds.

Click to view table.

[Acts 1978, ch. 570, § 6; T.C.A., § 49-5505.]

**Section to Section References.** This section is referred to in § 49-5-602.