



May 20, 2024

Chapter VI - Education/Schools

Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Chapter VI - Education/Schools

Board of Education

Private Acts of 1931 Chapter 725

SECTION 1. That there is hereby created out of the territory comprising Cocke County seven Educational Districts by combining the civil districts and voting precincts of said County as follows:

The First Educational District shall be composed of the First Civil District and the Read Hill Precinct of the Eighth Civil District.

The Second Educational District shall be composed of the Second Civil District and the Seventh Civil District.

The Third Educational District shall be composed of the Third Civil District.

The Fourth Educational District shall be composed of the Fourth Civil District.

The Fifth Educational District shall be composed of the Ninth Civil District and the Fifth Civil District.

The Sixth Educational District shall be composed of the Sixth Civil District.

The Seventh Educational District shall be composed of the Tenth and Eleventh Civil Districts and the Edwina Precinct of the Eighth Civil District.

As amended by:
Private Acts of 1943, Chapter 308
Private Acts of 1947, Chapter 652
Private Acts of 1947, Chapter 832
Private Acts of 1959, Chapter 153

SECTION 2. That each member of the present Board of Education shall continue to hold membership on said Board until the first Monday in September following the first regular August election after the expiration of his present term, and that the successor for each of the present members of the said board shall be elected for a term of four years, one from each of said Educational Districts, except the fourth, from which there shall be elected two members.

That the election commissioners of Cocke County shall in the manner provided by General Law, call and hold an election in the various voting precincts of the respective Educational Districts as follows: On the first Thursday in August, 1932, for the purpose of electing a member of the County Board of Education for the Sixth Educational District and one for the Third Educational District, and in like manner hold an election on the first Thursday in August, 1934, for the purpose of electing a member of said Board of Education for the Second Educational District and one for the Fourth Educational District. In like manner they shall call and hold an election on the first Thursday in August, 1936, for the purpose of electing a member of said Board of Education for the First Educational District and one for the Fifth Educational District. In like manner they shall call and hold an election on the first Thursday in August, 1938, for the purpose of electing a member of said Board of Education for the Fourth Educational District.

Said Election Commissioners shall likewise call and hold elections in each of said Educational Districts as said four-year terms of the members of said County Board of Education expire.

SECTION 3. That persons desiring to become candidates for said office, shall qualify in the manner required by the General Law of the State, and after said election, the Board of Election Commissioners, shall canvass the returns and issue certificates of election to the successful candidates in each of the various districts. The same requirements as now, or may hereafter be provided by law, for members of County Boards of Education, shall be necessary to render a candidate eligible for said office, and said election, shall be conducted in the manner and under the same requirements of law, as are provided for electing members to the General Assembly, and with the same restrictions, requirements, and qualifications for voters, and the persons so elected shall hold their respective offices until their successors have been elected and have qualified.

In case of a vacancy on said Board as provided for in this Act, such vacancy, shall be filled for the unexpired term, by the Quarterly County Court, meeting next and after the said vacancy occurs, the member so elected to hold office until the next regular August election.

SECTION 4. That the members of said County Board of Education so elected, shall be inducted into office and shall be clothed with, and shall exercise all the duties and powers of members of the County Board of Education, as now provided by law.

SECTION 5. That if any Section or paragraph, or clause, of this Act shall be held invalid by the Courts,

that it shall not in any way, affect or invalidate any other Section or paragraph, or clause.

SECTION 6. That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

SECTION 7. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: July 2, 1931.

Private Acts of 1947 Chapter 832

COMPILER'S NOTE: Section 2 of this act should be read in conjunction with Private Acts of 1931, Chapter 725. Section 1 of this act specifically amended Private Acts of 1931, Chapter 725 which is printed herein.

SECTION 2. That each member of the present Cocke County Board of Education shall continue to hold membership on said Board until the expiration of his term and that their successors in the office shall be elected for the terms and at the times set out in said Chapter 725, Private Acts of 1931, Section 2, with the exception that, at the expiration of the terms of the two members from the Sixth Education District (as herein constituted), only one member of said Board shall be elected in and from said District; and in the Fourth Educational District (as herein constituted), T.B. Murrell shall serve as a member of said Board until September 1, 1948, and his successor shall be elected by the voters of said Fourth Educational District at the regular August election, 1948, for a term of two years, at the expiration of which a Board member from said Fourth Educational District shall be elected for the full term of four (4) years, thus making the total membership of said Board eight (8) until September 1, 1950.

SECTION 3. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 13th, 1947.

Education/Schools - Historical Notes

Board of Education

The following acts once affected the board of education in Cocke County but are no longer operative. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1923, Chapter 307, authorized the board of education to borrow not more than \$8,000 to meet their current expenses and to issue short term warrants for the repayment of this loan.
2. Private Acts of 1943, Chapter 308, was an amendment to the board of education law, Private Acts of 1931, Chapter 725. This amendment changed the line of the first educational district by cutting off the Read Hill precinct from the first district and placing it in the sixth educational district. This amendatory act was repealed by Private Acts of 1945, Chapter 36.
3. Private Acts of 1957, Chapter 218, attempted to set the salary of the chairman of the board of education at a maximum of \$6.00 per day, but this act was rejected by local authorities and never became operative.

Superintendent or Director of Schools

The acts referenced below once affected the office of superintendent of education in Cocke County, but are no longer operative.

1. Private Acts of 1925, Chapter 705, required the county superintendent of public instruction to oversee the enforcement of the compulsory education laws and abolished the office of attendance officer.
2. Private Acts of 1931, Chapter 100, provided for a superintendent of public instruction for counties having a population of not less than 21,770 and not more than 21,780, according to the Federal Census of 1930. The superintendent of public instruction was elected by qualified voters every two years.
3. Private Acts of 1933, Chapter 326, abolished the office of attendance officer in Cocke County.
4. Private Acts of 1937, Chapter 529, made any twelve year county superintendent of education certificate issued to a Cocke County citizen since 1920 permanent.

General Reference

The following acts constitute part of the administrative and political heritage of the educational structure

of Cocke County but are no longer operative since they have either been superseded, repealed, or failed to receive local approval.

1. Acts of 1806, Chapter 8, established the Anderson Academy as the county academy in Cocke County, naming Issac Leonard, Abraham McCoy, Peter Fine, Daniel McPherson and William Lillard as the trustees.
2. Acts of 1807, Chapter 56, named Alexander Smith, Russell B. Carlogue and Henry Stephen as additional trustees of the Anderson Academy.
3. Acts of 1813, Chapter 35, appointed William Garrett, Francis Jackson Carter, Charles T. Porter, John Shields, Thomas Fowler, Henry Stephen and William Sillard as trustees of a lottery for the benefit of Anderson Academy in Cocke County.
4. Acts of 1909, Chapter 163, was the first compulsory education law for Cocke County, requiring that all children between the ages of eight and sixteen attend school for sixteen weeks or eighty days of at least four hours each year. Exemptions from this law were allowed for children who had attained a proficiency in the subjects taught in the primary grades, children who were receiving private instruction, and children who had either a medical disability or whose extreme poverty required their services at home.
5. Private Acts of 1911, Chapter 340, was the next compulsory education law for Cocke County. Its provisions were very similar to those of the earlier law, except that this act provided that the commissioner of the poor could furnish clothing and books to extremely poor children in order that they might attend school; and this act also allowed occasional absences of not more than four days in four consecutive weeks.
6. Private Acts of 1921, Chapter 808, created the Parrottsville Special School District and authorized the board of trustees to levy an annual tax of \$.25 per \$100 assessed valuation for the support of that school district. The development of the public school system in Tennessee is characterized by the creation of a number of special school districts, some of which remain operative to this day. There was a movement in the 1925 legislative session to establish more uniform school laws for the counties of Tennessee, by the enactment of a comprehensive law regulating a state system of education with provisions for the establishment of countywide school boards. This was done by Public Acts of 1925, Chapter 13, Section 33, abolished all special school districts which were not taxing districts, and further provided that the voters of any taxing district could elect to place its school under the management of the county board of education after all the district's financial obligations had been met. Since the Parrottsville Special School District is no longer operating, it appears that the voters in this district did elect to join the countywide system, even though this act has never been repealed.
7. Private Acts of 1927, Chapter 292, authorized the Cocke County Board of Education to pay any teacher who taught in its public schools during the 1925-26 school year, even though the teacher might not hold a teaching certificate as required by T.C.A. 49-711 et seq.
8. Private Acts of 1933, Chapter 842, set the salary of the superintendent of education in Cocke County at \$1,800 per year.
9. Private Acts of 1935, Chapter 641, detached the Rankin voting precinct, which was formerly the "Old 16th Civil District" of Cocke County from the third school district to the sixth school district.
10. Private Acts of 1935 (Ex. Sess.), Chapter 151, amended Private Acts of 1935, Chapter 641, by detaching the Rankin voting precinct from the sixth school district to the fourth.

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