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## Chapter VI - Education/Schools

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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,

The University of Tennessee  
County Technical Assistance Service  
226 Anne Dallas Dudley Boulevard, Suite 400  
Nashville, Tennessee 37219  
615.532.3555 phone  
615.532.3699 fax  
[www.ctas.tennessee.edu](http://www.ctas.tennessee.edu)

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# Chapter VI - Education/Schools

## Education/Schools - Historical Notes

### **Superintendent or Director of Schools**

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

1. Private Acts of 1931 (2nd Ex. Sess.), Chapter 5, provided that in Montgomery County a twelve years certificate of qualifications issued under state law for the position of County Superintendent would be renewed for a period of twelve years, provided the holder actually had served as a County Superintendent in a county in Tennessee for not less than four years during the life of the certificate.
2. Private Acts of 1949, Chapter 212, required the Election Commissioners of Montgomery County upon proper petition to hold an election to determine the will of the voters on the question of whether a County Superintendent of Public Instruction should be popularly elected.
3. Private Acts of 1951, Chapter 169, required the Montgomery County Superintendent of Public Instruction to be elected for terms of four years. Not later than the first Monday in April prior to the election, each candidate for the office had to file a state certificate of qualification with the County Judge. This act was superceded by Tennessee Code Annotated Section 49-2-203(a)(14)(A).

### **General Reference**

The following acts constitute part of the administrative and political heritage of the educational structure of Montgomery County but are no longer operative since they have either been superseded, repealed, or failed to receive local approval. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1806 (Ex. Sess.), Chapter 8, provided that Duncan Stuart, Asahel Brunson, James Elder, Willie Blount, and Parry W. Humphreys, constituted a body corporate and politic as the Trustees of Rural Academy in Montgomery County.
2. Acts of 1812, Chapter 15, provided that any seven of the Trustees appointed for Mount Pleasant Academy in Montgomery County were a sufficient number to transact the business of the Academy.
3. Acts of 1847-48, Chapter 75, provided that the County Academy in Montgomery County would be divided into two branches so as to constitute the Clarksville Female Academy as a branch of the County Academy.
4. Acts of 1855-56, Chapter 138, incorporated William M. Stewart, John M. Hill, Bryce Stewart, William B. Mumford, John Stacker, J. E. Bailey, A. Robb, John McKeage, C. R. Cooper, D. N. Kennedy, Thomas J. Pritchitt, W. P. Hume, Rev. R. A. Lapsley, Rev. W. H. Mitchell, Rev. R. B. McMullin, and Rev. Duncan Brown as a body politic by the name of Stewart College located in Montgomery County. The school would be under the supervision and control of the Synod of Nashville of the Presbyterian Church.
5. Acts of 1855-56, Chapter 186, authorized the County Court to appoint five Trustees for Clarksville Academy to convey and release the grounds and buildings to Stewart College. The Grand Master of the Masonic Lodge would do the same for Montgomery Masonic College. Further, the academy funds of Montgomery County were to be paid to Stewart College.
6. Public Acts of 1891, Chapter 63, created a new school district from parts of the Fourteenth and Fifteenth Civil Districts. Three directors were to be elected for the district.
7. Acts of 1907, Chapter 236, was a general education bill which abolished the offices of District Directors and placed the management of county school systems under a County Board of Education and a District Board of Advisors. Montgomery County was one of ten counties exempted from the operation of the act.
8. Private Acts of 1915, Chapter 160, allowed Montgomery County to operate its high school system jointly with the cities of the County. A high school board would be created to manage the schools.
9. Private Acts of 1915, Chapter 184, allowed communities to be established in Montgomery County to be composed of one or more or parts of the civil districts for the purpose of constructing and operating Community Centers. The Centers were to be used for educational purposes, school

exercises and lectures and as a meeting place for social and business functions. The Centers were to be operated by a board of five residents, no more than three to be male and no more than three to be female. The Community Board would have charge of the roads and schools of the community subject to the County Court and the County Board of Education. The Community would receive its funding from State and County school levies on a basis related to its proportional scholastic population in the County.

10. Private Acts of 1917, Chapter 116, established an independent school district in the Fifth Civil District of Montgomery County to be called the Port Royal School District, number 3, which would be controlled by the Montgomery County School Board. The District would have one member on the Board. Mr. J. H. Peyton was named to serve as the first District Board member until the next election.
11. Private Acts of 1919, Chapter 720, repealed Private Acts of 1917, Chapter 116, above.
12. Private Acts of 1993, Chapter 67, repealed Private Acts of 1970, Chapter 288, which created and established a Stadium Authority.

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