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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 1999 Chapter 61

SECTION 1. Effective September 1, 2000, the County Board of Education of McMinn County shall consist of ten (10) members with two (2) members to be elected from each of the five (5) school districts for four (4) year staggered terms. The school districts shall be coextensive with the five (5) county legislative districts.

At the regular August election in 2000, Districts I and V shall each elect one (1) new board member for a four (4) year term. Successors to incumbent members in Districts I and V shall be elected at the regular August election in 2002.

At the regular August election in 2000, Districts II, III, and IV shall each elect two (2) board members. The candidate in each such district who receives the highest number of votes shall be elected for a four (4) year term and the candidate in each district who receives the second highest number of votes shall be elected for a two (2) year term. Thereafter, all members of the County Board of Education shall be elected for a term of four (4) years. The term of office of such members shall begin on September 1, following their elections and continue until their successors are elected and qualified. Successors shall be elected at the regular August election.

COMPILER'S NOTE: SECTION 2 was omitted in original act.

SECTION 3. Members of the County Board of Education of McMinn County shall be residents of the district from which elected. Vacancies on the board shall be filled by the McMinn County Legislative Body and any person so appointed shall serve until a successor is elected and qualified according to law.

SECTION 4. The duties and compensation of members of the County Board of Education shall be as provided by general law.

SECTION 5. Nothing in this act shall be construed as having the effect of removing any incumbent from office or abridging the term of any official prior to the end of the term for which such official was elected.

SECTION 6. All laws or parts of laws in conflict with this act are hereby repealed.

SECTION 7. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Legislative Body of McMinn County. Its approval or non-approval shall be proclaimed by the Presiding Officer of the Legislative Body of McMinn County and certified to the Secretary of State.

SECTION 8. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 7.

Passed: May 27, 1999.

Superintendent or Director of Schools

Audit

Private Acts of 1949 Chapter 529

SECTION 1. That the Quarterly County Court of McMinn County, at any regular meeting by a majority of the members present, may order an audit of the books of the Superintendent of Schools of McMinn County for such periods of time or terms of office as they may deem expedient, proper and in the public interest, and may have subsequent audits at regular periods, as deemed necessary. Such audit shall be made by a certified public accountant and the fee or charges therefor shall be paid out of the general county funds; provided, however, that the cost of such audit shall be determined and fixed in writing before any audit shall be authorized.

SECTION 2. That the regular Quarterly County Court shall adopt such orders, rules and regulations, not inconsistent with the provisions hereof, for the auditing of said books.

SECTION 3. That all laws and parts of laws in conflict herewith be and the same are hereby repealed.

SECTION 4. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 4, 1949.

Education/Schools - Historical Notes

Board of Education

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

1. Private Acts of 1971, Chapter 58, as amended by Private Acts of 1972, Chapter 205, created the county board of education for McMinn County consisting of seven (7) members, with one (1) member to be elected from each of the five (5) school districts and two (2) members to be elected from the county-at-large. The school districts were coextensive with the five (5) magisterial districts of the county, respectively. This act was superseded by Private Acts of 1999, Chapter 61.

General Reference

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

1. Acts of 1823, Chapter 278, established Fentress Academy as the county academy of McMinn County.
2. Acts of 1825, Chapter 110, incorporated the Forest Hill Academy, the second academy for the county.
3. Acts of 1832, Chapter 36, directed the trustees of Forest Hill Academy not to expend the principal academy fund, but to put it out at interest "or vest it in a more productive way."
4. Acts of 1901, Chapter 367, created an independent school district, the "County Line School District", out of parts of McMinn and Monroe Counties. All independent school districts which were not taxing districts (and this one was not) were abolished by the General Education Act of 1925.
5. Acts of 1905, Chapter 405, created another independent school district between McMinn and Monroe Counties.
6. Private Acts of 1917, Chapter 296, provided that one member of the County High School Board of Education would be from Athens.
7. Private Acts of 1919, Chapter 715, abolished the Elementary and High School Boards of Education, providing for the election of a County Commission of Education.
8. Private Acts of 1925, Chapter 616, allowed McMinn County to contract with any incorporated municipality within its boundaries, to allow county students to attend city schools "under such terms and conditions as may appear just and proper."
9. Private Acts of 1929, Chapter 425, authorized the payment from county school funds of any deficit incurred by the McMinn County Board of Education in constructing and equipping consolidated schools.
10. Private Acts of 1931 (2nd Ex. Sess.), Chapter 5, provided for the renewal of certificates to qualify applicants for the position of County Superintendents. This act was repealed by Private Acts of 1935 (1st Ex. Sess.), Chapter 58.
11. Private Acts of 1933, Chapter 837, set the salary of the County Superintendent of Public Instruction at not less than \$2,00 per year and not more than \$2,00 annually.
12. Private Acts of 1935, Chapter 631, set the minimum salary of teachers in McMinn County with ten years experience at \$65. This act did not state if this was weekly, monthly or annually.
13. Private Acts of 1937, Chapter 793, provided that in McMinn County two year teaching certificates would be renewed for four years for high school teachers who had taught at least two years in Tennessee high schools and were graduates of an accredited college or university.
14. Private Acts of 1939, Chapter 564, provided that the Superintendent of Public Instruction would have a four year term.
15. Private Acts of 1945, Chapter 528, authorized R. F. McKinney of McMinn County to teach band and orchestra in the McMinn County schools and the Commissioner of Education was directed to issue a state teaching certificate to Mr. McKinney.
16. Public Acts of 1981, Chapter 106, is an amendment to T.C.A. 2-1-112 which said that the Section

would not operate to disqualify any employee of a county, or a city, school system, who did not work directly under an elected school official, from serving as an election officer on the date of the election only.

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