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# Private Acts of 1972 Chapter 392

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Sincerely,

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# Private Acts of 1972 Chapter 392

**SECTION 1.** There is hereby created a Board of Education for Grainger County composed of ten (10) members.

As amended by: Private Acts of 1982, Chapter 224

**SECTION 2.** The county is hereby divided into five (5) school districts, the boundaries of which shall be as follows:

School District 1. The boundaries of School District 1 shall be the same as County Commission District 1.

School District 2. The boundaries of School District 2 shall be the same as County Commission District 2.

School District 3. The boundaries of School District 3 shall be the same as County Commission District 3.

School District 4. The boundaries of School District 4 shall be the same as County Commission District 4.

School District 5. The boundaries of School District 5 shall be the same as County Commission District 5.

As amended by: Private Acts of 1982, Chapter 224

**SECTION 3.** The Board of Education members shall be citizens of recognized integrity, intelligence, and ability to administer the duties of the office. Each such member shall have resided not less than one (1) year next preceding his election in the county commission district comprising the School Board District from which he is elected and shall be a registered voter in such district. No member of the Quarterly County Court nor any other county official, elected or appointed, shall be eligible for election or appointment as County Board of Education member. No board member shall serve as a teacher or in any other position under the board carrying with it any salary or compensation. Should a board member move his place of residence outside the district which he represents, the office of such board member shall become vacant.

**SECTION 4.** At the August General Election in 1982, there shall be elected at large two (2) board members from each School Board District by the qualified voters of each such district. The terms of such board members shall be four (4) years and shall begin on September 1, 1982. The terms of the presently constituted school board shall terminate at midnight on August 31, 1982.

**SECTION 5.** Before entering upon the duties of the office, every member of the County Board of Education shall qualify as such member by taking and subscribing and filing with the County Court Clerk, the following oath:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States and of the State of Tennessee, and the laws governing the operation of the Grainger County School System, and that I will faithfully, zealously, and impartially discharge the duties of a member of the Grainger County Board of Education without fear or favor, and for the public welfare.

**SECTION 6.** Vacancies on the County Board of Education shall be declared by the Board to exist on account of death, resignation, acceptance of a position in conflict with Board qualifications as set forth in Section 3 hereof, or removal of residence. All vacancies shall be filled for the unexpired term at the next regular general election held more than forty (40) days subsequent to the occurrence of said vacancy, provided, however, that the Quarter County Court, at its next regular or special meeting after such vacancy occurs, shall fill the same on an interim basis with the election by majority vote of a qualified person. Said interim member shall hold office until the vacancy is permanently filled at the next general election.

**SECTION 7.** At the first meeting of the Board of Education in September of each year, the members of the Board shall elect from among themselves a Chairman and such other officers as they may deem proper. A regular meeting of the County Board shall be held once each quarter at a time and place selected and publicity announced by the Board. The Board shall adopt written rules of procedure which shall include provision for the call of special meetings by the Chairman or by a majority of members of the Board, provisions for due notice of the time, place, and agenda of such regular or special meetings, and all other procedural rules that the Board may deem necessary and suitable.

**SECTION 8.** All meetings of the County Board shall be open to any resident who may desire to attend, provided that nothing herein contained shall be construed as denying the Board the right to hold executive sessions, but no official act shall be taken in such executive sessions.

**SECTION 9.** Board members shall be paid per diem for attendance at each regular or special meeting of the Board, plus travel expenses, said per diem and travel expense rates to be the same as those paid to members of the Quarterly County Court.

**SECTION 10.** The County Board shall have the responsibility for the government, supervision, and control of the public schools of the County, provided, however, that no Board member shall have authority to act independently on any school matter. The Board shall generally exercise all powers, duties, and privileges as set forth in the public laws of Tennessee relative to County Boards of Education and specifically discharged those duties enumerated in Section 49-214 and Section 49-215, Tennessee Code Annotated, which are not in conflict with the provisions of this Act.

It shall be the duty of the County Board of Education to elect, from nominations or recommendations made by the Superintendent of Schools, but not otherwise, all principals, teachers, and other employees of the County School System; and to fix the salaries of principals, teachers, and other employees of the County School System, within the funds available or provided by the Quarterly County Court.

It shall be the duty of the Board to plan for the extension and development of the County School System; to determine the need for new buildings; to plan, locate, erect, and furnish the same, after the Quarterly County Court shall have provided funds for same.

The Board shall adopt written policies and regulations for the proper functioning of the Board and the School System. It shall have drawn up and made available for general distribution a statement of such policies and regulations.

The Board shall assign to the County Superintendent of schools such duties as are set forth in Section 49-224, Tennessee Code Annotated, and any other such duties as can reasonably be expected of the superintendent.

**SECTION 11.** The County Board of Education shall direct the superintendent of schools to prepare a budget showing the proposed expenditures for the schools under its jurisdiction for the ensuing fiscal year, and after the Board approves of said budget, it shall submit the same to the budget committee of the Quarterly County Court pursuant to Section 49-214, Tennessee Code Annotated. At the same time, the Board shall cause to be prepared and shall submit to the budget committee an estimate of the amount of funds to be received from the State and Federal governments for school purposes, and of the amount estimated as required to be raised by taxation in order to meet and pay the estimated expenditures for the ensuing year. Nothing herein contained, however, may be construed as denying the Board the right to amend its budget from time to time during the year as changing circumstances warrant, provided that such amendments do not increase the total amount of projected expenditures beyond the total amount of anticipated revenues for that year.

**SECTION 12.** All assets of, and all legal debts, contracts, and financial obligations incurred by the County Board of Education established and operating under the provisions of Chapter 53, Private Acts of Tennessee, 1935, and all amendatory acts thereto shall be transferred to and assumed by the County Board of Education, created by this act.

**SECTION 13.** Should any city or Special School District operating a School System within the County deem it advisable to place the operation of said System under the general supervision of the County Board of Education, the consolidation of the two school Systems and proper dispensation of their assets and liabilities shall be accomplished pursuant to the provisions of Section 49-401 through 49-429, Tennessee Code Annotated.

**SECTION 14.** This Act shall have no effect unless it is approved by a two-thirds ( $\frac{2}{3}$ ) vote of the Quarterly County Court of Grainger County on or before July 1, 1972. Its approval or non-approval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

**SECTION 15.** For the purpose of approving or rejecting the provisions of this act, as provided in Section 14, it shall be effective on becoming a law, the public welfare requiring it. For all other purposes it shall become effective upon becoming approved as provided in Section 14.

Passed: April 7, 1972.

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