



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

July 22, 2024

Chapter VI - Education/Schools

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

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 2002 Chapter 129

SECTION 1. Chapter 4 of the Private Acts of 1975, as amended by Chapter 74 of the Private Acts of 1981, and all other acts amendatory thereto, are hereby repealed.

SECTION 2. Marion County shall be divided into five (5) school districts of substantially equal population, which shall be coextensive with the county legislative body districts established by resolution of the county legislative body from time to time.

SECTION 3. The Marion County Board of Education (the "board") shall consist of five (5) members, with one (1) member of the board being elected by the qualified voters in each school district, on a non-partisan basis. Board members shall be elected to staggered four (4) year terms so that every two (2) years the terms of approximately one-half (1/2) of the members of the board shall expire. Persons elected in the regular August general election shall take office on September 1 following the election and shall serve until their successors are duly elected and qualified. No board member's term shall be cut short as a result of the enactment of this act.

SECTION 4. The Marion County Board of Education shall have the same powers, duties, privileges, and qualification as a board of education established pursuant to Tennessee Code Annotated, Title 49.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Marion County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Marion County and certified to the Secretary of State.

SECTION 7. 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 upon being approved as provided in Section 6.

Passed: April 17, 2002.

Interscholastic Sports

Private Acts of 1983 Chapter 51

SECTION 1. No regulation which prohibits or does not permit interscholastic sports in grades K -- 6 shall be adopted, approved or implemented unless such regulation is approved by the Marion County School Board.

SECTION 2. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Marion County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by him to the Secretary of State.

SECTION 3. 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 upon being approved as provided in Section 2.

Passed: March 17, 1983.

Richard City - Deptford Independent Schools District

Acts of 1920 (Ex. Sess.) Chapter 93

SECTION 1. That an Independent School District be, and the same is hereby created out of a part of the Sixth Civil District of Marion County, Tennessee, including the towns of Richard City and Deptford, to be known as the Richard City and Deptford Independent School District, with the following boundaries:

Beginning at the intersection of the Alabama and Tennessee State line with the Tennessee River, on the

west bank thereof and running thence westwardly with the east brow of Cumberland Mountain; thence northwardly with the east brow of Cumberland Mountain to the intersection of the same with an extension of the north right of way of 12th Street of the City of South Pittsburg; and thence eastwardly with an extension of said north right of way of the said 12th Street to the north right of way of the said 12th Street; thence eastwardly with the north right of way of 12th Street and with an extension thereof to the intersection of the same with the Tennessee River; thence with the west bank of the Tennessee, southwardly to the point of beginning.

As amended by: Private Acts of 1959, Chapter 91

SECTION 2. That the officers of the said school district shall consist of a Board of Trustees, consisting of three (3) members, who, with their successors, shall be a body politic and corporate, under the name and style of "Board of Trustees of Richard City and Deptford Independent School District.

It shall be the duty of the Board of Trustees to elect one of their number President, who shall preside over all meetings of the Board, countersign all checks or warrants, and perform such other duties as may be assigned to him by the provisions of this Act, or by the Board.

It shall be the duty of the Board of Trustees to elect a Secretary, who shall keep the minutes of all meetings of the Board, and perform such other duties as may be assigned to him by the provisions of this Act, or by the Board.

It shall be the duty of the Board of Trustees to elect a Treasurer, who shall have custody of all funds belonging to the school district; to disburse the same upon order of the Board, upon warrants countersigned by the President. The Board will require the Treasurer to enter into a good and solvent bond in the sum of not less than the greatest amount of funds that may at any time be in the hands of such Treasurer and not less than the sum of Ten Thousand (\$10,000.00) Dollars in any event, which said bond shall be executed by a reputable bonding company and shall be payable to the State of Tennessee, for the use and benefit of the said Richard City and Deptford Independent School District, and conditioned upon the said Treasurer well and truly keeping and faithfully accounting for all monies belonging to the said district, and coming into his hands, and which said bond shall be approved by the Chairman of the Board of Trustees and filed with him, and the premium on the said bond shall be paid out of funds belonging to the district.

The above mentioned officers of the Board will be elected by the Board at their first meeting, and biennially thereafter, but removable at the pleasure of the Board.

No member of the Board of Trustees shall draw a salary as such, but the Board may pay the Secretary and Treasurer such amount as will be reasonable compensation for the work required, not to exceed One Hundred Dollars (\$100.00) per annum, in the discretion of the Board, the offices of Secretary and Treasurer may be combined, and one person elected to both of said offices.

No person shall be eligible to the office of member of the Board of Trustees who has not, for a period of one year prior to his election, been a householder, or freeholder, in the said district, and who has not had the equivalent of a primary education.

The term of office of the Board of Trustees shall be six years, one member of which shall be elected at the regular August election in 1922; another at the regular August election in 1924; and another at the regular August election in 1926, and one member elected biennially thereafter.

J. C. Kirkpatrick is hereby named and appointed a member of the Board of Trustees, to serve until the regular August election of 1922.

Elwood Shaw is hereby named and appointed a member of the Board of Trustees, to serve until the regular August election of 1924.

W. H. Klein is hereby named and appointed a member of the Board of Trustees, to serve until the regular August election of 1926.

The Board of Trustees herein named and appointed will meet and organize as soon after the passage of this Act as can conveniently be done; and such regular meetings of the Board held thereafter as may be provided for by the Board; and such special meetings as may be called by the President. In case of a vacancy in the Board of Trustees, it shall be the duty of the remaining members of the Board to fill the vacancy for the unexpired term by election.

SECTION 3. That the powers and duties of the said Board of Trustees shall be:

- (1) To establish and maintain such schools within the said district as the Board of Trustees shall deem necessary to care for the scholastic population; and to prescribe a course of study which shall, in all respects, conform to the provisions and requirements of the State Board of Education for elementary schools, and to provide for such additional instructional programs for elementary schools. Provided, further, that the Board of Trustees is hereby empowered to purchase and furnish

free of charge to its pupils all textbooks and other materials necessary to promote the program of study set forth by the Board of Trustees for said schools; and

(2) To establish and maintain a high school if deemed necessary by the Board of Trustees and to provide a course of study for same which shall, in all respects, conform to the requirements of the State Board of Education for high schools; and

(3) To employ teachers having the qualifications required by the general law and the State Board of Education for the schools of said district and to fix their compensation and, for cause, to discharge them; and

(4) To open and close the schools of the district at such times as to the Board may deem advisable and to determine the length of the school term for each year; and

(5) In keeping with all state laws, to suspend or expel students when it is necessary to maintain discipline within the schools; and

(6) To employ, if deemed necessary, an attendance officer who shall have the powers and duties conferred on such officer by general law, and to fix the compensation for such position; and

(7) To employ janitors, and all such other classified employees as may be necessary for the operation of the school system, and to fix their compensation; and

(8) To require all such reports from teachers and the system administration as required by general law including such other reports as the Board may require relative to the progress of the schools; and

(9) to (sic) borrow money from lending institutions qualified to transact business in the State of Tennessee, to pledge as collateral for such loans the full faith and credit of the Richard City Special School District, and to repay the principal and interest on such loans from tax receipts and/or state or federal revenues appropriated for such purposes; and

(10) To build, repair and maintain the school buildings and such incidental buildings as may be necessary; and

(11) To hold in trust all school property, both real and personal, within the bounds of the district and to sell and convey the same by deed or title, and to acquire by purchase all such real estate or other property as the Board may deem necessary for school purposes; and

(12) To take a census of the scholastic population residing within the district as soon possible after the passage of this Act, and to report same to the County Superintendent and the County Trustee, and take such scholastic population census annually thereafter and report same to the above-referenced officials; and

(13) To have and to exercise all the powers and duties conferred by general law upon County Boards of Education with respect to schools within the district

As amended by: Private Acts of 1999, Chapter 36

SECTION 4. That the title to all public school property, real and personal, situated within the said district, be and is hereby vested in the said Board of Trustees, and their successors in office, in trust for public school purposes, with the power and control over the same herein conferred; and the said Board of Trustees of the said district shall not be liable to Marion County, or any taxpayer thereof, on account of this transfer.

SECTION 5. That the power is hereby conferred upon the Board of Trustees of said school district to execute, issue, advertise and sell coupon bonds for the school district, and otherwise to incur debt including the power to borrow funds from financial institutions qualified to transact business in the State of Tennessee, both long-term and short-term, payable from the receipts of the established tax rate for the district, as may be amended, and from state or federal revenue receipts designated for such purposes. The Board shall determine the most favorable method for financing any indebtedness as well as the repayment of such indebtedness. Such proceeds shall be used for the construction, maintenance or repair of school buildings including additions thereto. Said indebtedness shall constitute the general obligations of the school district, shall be executed by the Board of Trustees, and shall be payable at such places and at such times as the Board of Trustees may, by resolution, determine. Provided, however, that the term of any indebtedness shall not exceed twenty (20) years. It shall be the duty of the Board to set apart a sufficient amount of all monies received by the district as a sinking fund to be used solely for the payment of principal and interest for the retirement of debt authorized herein.

As amended by: Private Acts of 1999, Chapter 36

SECTION 6. That it shall be the duty of the County Trustee, upon the Board of Trustees of the said district reporting to him the scholastic population of the said district as herein provided, to apportion to

the said district that proportion of all public school monies in his hands, or afterwards coming into his hands, which the scholastic population of the said district bears to the scholastic population of the whole county, and annually thereafter, upon the reporting to the Trustee of the scholastic population of the said district, and as often as an apportionment, or pro rata, of the school funds is made, the Trustee will set apart to the said district its pro rata share of all such school funds. All monies thus apportioned and set apart to the said district shall be paid by the Trustee to the Treasurer of the Board of Trustees of the said district.

SECTION 7. That for the purpose of supporting and maintaining the schools and school property of this district, and supplementing the school funds of said district there is hereby assessed upon all taxable property within the said district a tax for each and every year hereafter at the rate of thirty-five (\$0.35) cents upon each one hundred dollars assessed valuation.

The basis for the assessment of the said taxes shall be the assessed valuation as shown by the books of the County Trustee. The taxes herein assessed shall be collected by the County Trustee, and shall become due and payable, and collectable at the same time and in the same manner as taxes under the general laws of the State. Taxes herein assessed shall constitute a lien on the real estate on which it is assessed, and in default of payment, shall be subject to the same penalties and forfeitures provided by the general laws of the State. The taxes herein assessed, when collected by the Trustee, will be paid to the Treasurer of the said Independent School District.

As amended by: Private Acts of 1939, Chapter 540
Private Acts of 1949, Chapter 136

SECTION 8. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: September 3, 1920.

Private Acts of 2004 Chapter 104

SECTION 1. The Richard City and Deptford Independent School District, located in Marion County, Tennessee (the "District"), created by Chapter 93 of the Private Acts of 1920 (Extraordinary Session) of the State of Tennessee, as amended by Chapter 740 of the Private Acts of 1925, Chapter 540 of the Private Acts of 1939, Chapter 136 of the Private Acts of 1949, Chapter 91 of the Private Acts of 1959, Chapter 36 of the Private Acts of 1999, and Chapter 148 of the Private Acts of 2000, and all other Acts amendatory thereto, if any, (the "Act of Incorporation") is hereby authorized and empowered to issue and sell to the United States of America, acting through Rural Development, by resolution of the Board of Trustees of the District, an installment bond in the principal amount of not to exceed Eight Hundred Thousand Dollars (\$800,000) for the purpose of providing funds for the (i) construction, improvement, renovation, expansion, furnishing, fixturing and equipping of school buildings and facilities, and additions thereto, in and for the District, including the purchase of all property, real and personal, or interests therein, necessary in connection with said work, and the purchase of school buses and school transportation equipment, (ii) funding of all accounts and funds necessary and proper in connection with the issuance and sale of the bond as the Board of Trustees of the District shall determine, (iii) payment of capitalized interest during the period of construction and for six (6) months thereafter, and (iv) payment of all legal, fiscal, administrative, architectural, engineering, accounting and similar professional and other costs incident thereto and to the issuance and sale of the bond.

As amended by: Private Acts of 2005, Chapter 201

SECTION 2. The bond will be sold to the United States of America, acting through Rural Development, as a fully registered installment bond, without coupons, at a rate not to exceed five percent (5.0%) per annum and payable in thirty-eight (38) consecutive annual installments of principal and interest.

As amended by: Private Acts of 2005, Chapter 201

SECTION 3. The bond shall be issued in fully registered form and shall be signed and sealed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the District's Board of Trustees authorizing the bond.

SECTION 4. The property tax currently being levied within the boundaries of the District for the benefit of the District pursuant to Chapter 136 of the Private Acts of 1949 for supporting and maintaining schools and school property of the District shall continue to be levied for the additional purpose of paying principal and interest on the bond herein authorized and any other indebtedness of the District. The Board of

Trustees is hereby authorized to pledge such taxes levied on taxable property located within the boundaries of the District as necessary to pay the principal of and interest on the bond and any other indebtedness of the District, being a portion of the existing taxes, and not an increase therein. The taxes shall be annually extended and collected by the county trustee of Marion County, Tennessee in the manner provided by general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with the like force and effect as do county taxes. The rate established pursuant to Chapter 136 of the Private Acts of 1949 as continued hereunder may be adjusted from time to time in accordance with the procedure set forth in Section 67-5-1704, Tennessee Code Annotated, relating to countywide reappraisal. In addition, in the event the total assessed value of all property subject to the tax hereinabove described declines by more than 10% from January 1 of any year to January 1 of the next succeeding year or declines by more than 15% from January 1 of any year to January 1 of the second succeeding year thereafter, at the request of the Board of Trustees, the county assessor of property shall certify to the county trustee and the Board of Trustees the total assessed value of taxable property within the District and furnish the county trustee and the Board of Trustees an estimate of the total assessed value of all new construction and improvements not included on the assessment roll of the base year and all deletions from the assessment roll of the base year. Upon receipt of said information and certifications, the county trustee shall adjust the tax rate established herein to an adjusted rate which is estimated to provide to the District the same tax revenue as was provided by said tax in the base year, exclusive of such new construction, improvements and deletions, in accordance with the policies established by the state board of equalization pursuant to Section 67-5-1701(b), Tennessee Code Annotated, or any successor thereto. Said taxes shall be used exclusively to pay principal and interest on the bond authorized herein and any other indebtedness of the District as they become due, to maintain debt service fund balances and to pay costs of operating and maintaining schools of the District. In the event the property taxes and such other funds as shall be pledged to the payment of the indebtedness of the District are not sufficient to pay principal thereof and interest thereon when due, the District shall apply funds from operations or other available funds of the District to the payment thereof. Any surplus arising from the tax hereinabove described and not required for the payment of debt service on outstanding obligations of the District may be used, at the discretion of the Board of Trustees of the District, for the construction, improvement, renovation, expansion, furnishing, fixturing and equipping of school building and facilities, and additions thereto, in and for the District, including the purchase of all property, real and personal, or interests therein, necessary in connection with said work, and the purchase of school buses and school transportation equipment, and all other operations and maintenance of schools in the District.

SECTION 5. The Board of Trustees is authorized to pledge to the payment of the bond all or a portion of (i) any funds received by the District under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Section 49-3-351 et seq., Tennessee Code Annotated, and related sections, (ii) its share of the Local Option Sales and Use Tax now or hereafter levied and collected in Marion County, Tennessee, pursuant to Section 67-6-712, Tennessee Code Annotated, and (iii) any other funds received from the State of Tennessee, or any of its authorities, agencies or instrumentalities, for school purposes and available to be used for capital outlay expenditures.

SECTION 6. The bond, and all income therefrom, shall be exempt from all state, county and municipal taxation in the State of Tennessee, except inheritance, transfer and estate taxes and except as otherwise provided by applicable law.

SECTION 7. The District is further authorized, by resolution of the Board of Trustees, to borrow money and issue its bond(s) for the purpose of refunding the bond authorized herein, at or prior to maturity, in whole or in part, at any time, in accordance with the terms hereof.

SECTION 8. The District is further authorized, by resolution of the Board of Trustees, to issue and sell notes of the District in anticipation of the issuance of the bond authorized herein. The notes may bear such date or dates, shall mature at such time or times, not exceeding three (3) years from their respective dated dates, may bear interest at such rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denominations, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may provide for the replacement of mutilated, destroyed or lost notes, all as may be provided by resolution of the Board of Trustees. The notes shall be sold as a whole or in part from time to time in such manner as shall be provided by resolution of the Board of Trustees. The Board of Trustees of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the notes and delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board of Trustees shall deem necessary or desirable.

SECTION 9. If any provision(s) of this Act or the application thereof shall be held by any court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this Act and the application of such provisions shall not be affected thereby, shall be enforced to the greatest extent permitted by law and are declared to be severable.

SECTION 10. This Act shall take effect upon becoming a law, the public welfare requiring it.

Passed: April 5, 2004.

Private Acts of 2021 Chapter 35

SECTION 1. The Richard City and Deptford Independent School District, located in Marion County, Tennessee (the "District"), created by Chapter 93 of the Private Acts of 1920(Extraordinary Session) of the State of Tennessee, as amended by Chapter 740 of the Private Acts of 1925, Chapter 540 of the Private Acts of 1939, Chapter 136 of the Private Acts of 1949,Chapter 91 of the Private Acts of 1959, Chapter 36 of the Private Acts of 1999, Chapter 148 of the Private Acts of 2000, Chapter 104 of the Private Acts of 2004, Chapter 21 of the Private Acts of 2005, and all other Acts amendatory thereto, if any, (the "Act of Incorporation") is hereby authorized and empowered to issue and sell, by resolution of the Board of Trustees (the "Board") of the District, bonds and/or notes in the aggregate principal amount of not to exceed two million three hundred fifty thousand dollars (\$2,350,000) in the manner provided below:

(a) The District is hereby authorized and empowered to issue and sell, by resolution of its Board, school bonds and notes for the purpose of providing funds for (i) the construction, improvement, renovation, expansion, furnishing, and equipping of school buildings and facilities, and additions thereto, in and for the District, including the purchase of all property, real and personal, or interests therein, necessary in connection therewith, (ii) the funding of all accounts and funds necessary and proper in connection with the issuance and sale of the bonds and notes as the Board shall determine, (iii) the payment of interest on the bonds and notes during the period of construction and for six (6) months thereafter and (iv) the payment of all legal, fiscal, administrative, architectural, engineering, accounting, and similar professional and other costs incident thereto and to the issuance and sale of the bonds and notes. The maximum aggregate principal amount of school bonds and notes authorized to be issued shall be limited to two million three hundred fifty thousand dollars (\$2,350,000). No public referendum or election of the voters of the District shall be necessary in order for the District to issue and sell the bonds and/or notes authorized pursuant to this subsection.

(b) The bonds and notes may be sold at competitive or negotiated sale at such times, in such amounts, and with such terms as may be approved by resolution of the Board; provided, that the maximum maturity of any bond or note issued shall not exceed twenty-two (22) years from issuance and the rate or rates of the bonds and notes shall not exceed the maximum rate permitted by Tennessee law.

(c) The District is further authorized, by resolution of its Board, to issue and sell notes of the District in anticipation of the issuance of the bonds authorized herein. The notes shall mature at such time or times, not exceeding five (5) years from their respective dated dates, and shall be sold in such manner and upon such terms as shall be provided by resolution of the Board. Bond anticipation notes shall also be payable from and secured by the proceeds of the bonds in anticipation of which they are issued. Notwithstanding anything herein to the contrary, bond anticipation notes may be issued in an amount not to exceed two million three hundred fifty thousand dollars (\$2,350,000) in addition to the issuance of not to exceed two million three hundred fifty thousand dollars (\$2,350,000) of school bonds, provided that such notes are to be retired by the bonds.

(d) The District is further authorized, by resolution of its Board, to borrow money and issue its bonds for the purpose of refunding the bonds and notes authorized hereinor that may have been previously issued by the District. The refunding bonds shall be sold at such times, in such manner, and upon such terms as shall be provided by resolution of the Board, and notwithstanding anything herein to the contrary shall be in an amount necessary to refund such bonds or notes.

(e) The Board of the District is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of any and all bonds and notes authorized herein, and to delegate the power to consummate all such acts and execute and implement all such agreements on its behalf as the Board shall deem necessary or desirable.

(f) The bonds and notes authorized hereunder shall be issued in fully registered form and shall be executed as provided in the Tennessee Public Obligations Registration Act and in the resolution adopted by the Board.

(g) Any bonds or notes issued hereunder shall be paid from the taxes levied by authority of the Act of Incorporation. Notwithstanding any provision of the Act of Incorporation to the contrary, all taxes levied pursuant thereto are specifically authorized to be used to pay the principal of and interest on any bonds and notes issued pursuant to this subsection. The Board of the District is hereby authorized to pledge such taxes as necessary to pay the principal of and interest on the bonds and notes authorized herein. The taxes shall constitute a lien on the property against which they are levied with the like force and effect as due county taxes.

(h) The Board is also authorized, but not required, to pledge to the payment of the bonds and notes all or a portion of (i) any funds received by the District under the Tennessee Basic Education Program available to be used for capital outlay expenditures, as set forth in Tennessee Code Annotated, Section 49-3-351, and related sections, (ii) its share of the Local Option Sales and Use Tax now or hereafter levied and collected in Marion County, Tennessee, pursuant to Tennessee Code Annotated, Section 67-6-712, and (iii) any other funds received from the State of Tennessee, or any of its authorities, agencies, or instrumentalities, for school purposes and available to be used for capital outlay expenditures.

(i) The bonds and notes and all income therefrom, shall be exempt from all state, county and municipal taxation in the State of Tennessee, except excise and franchise taxes and except as otherwise provided by applicable law.

SECTION 2. No additional tax levies are levied hereby. The property taxes heretofore levied by the Act of Incorporation are hereby affirmed at the rates set forth therein, subject to the procedures set forth in Tennessee Code Annotated, Section 67-5-1704, relating to countywide reappraisal. In addition, in the event the total assessed value of all property subject to the tax hereinabove described declines by more than ten percent (10%) from January 1 of any year to January 1 of the next succeeding year, or declines by more than fifteen percent (15%) from January 1 of any year to January 1 of the second succeeding year thereafter, at the request of the Board of the District, the county assessor of property shall certify to the county trustee and the Board of the District the total assessed value of taxable property within the District and furnish the county trustee and the Board of the District an estimate of the total assessed value of all new construction and improvements not included on the assessment roll of the base year and all deletions from the assessment roll of the base year. Upon receipt of said information and certifications, the county trustee shall adjust the tax rate to an adjusted rate which is estimated to provide to the District the same tax revenue as was provided by said tax in the base year, exclusive of such new construction, improvements, and deletions, in accordance with policies established by the state board of equalization pursuant to Tennessee Code Annotated, Section 67-5-1701(b), or any successor thereto. Taxes levied for debt service shall be pledged and applied first to pay principal of and interest on indebtedness issued by the District, including the bonds and notes authorized herein. Any amounts in excess thereof may be used, at the discretion of the Board of the District, for any and all capital and/or operating expenses of the District.

SECTION 3. In the event that the laws creating the District are repealed or the District is abolished, that portion of such laws levying a tax, the proceeds of which are pledged to the payment of outstanding bonds and indebtedness of the District, shall remain in full force and effect with respect to the real and personal property within the District to the extent necessary to satisfy the District's debt service requirements with respect to said bonds, notes, and indebtedness, and the outstanding bonds, notes, and indebtedness of the District shall remain binding and valid obligations of the District the same to be paid out of funds collected in respect of the tax herein authorized. In such event, the said remaining tax shall continue to be collected by the county trustee and funds collected in respect thereof shall be paid in respect of the District's outstanding bonds, notes, and indebtedness by the District until such bonds, notes, and indebtedness have been paid in full.

SECTION 4. The provisions of this Act are intended to supersede any contrary provisions of the Act of Incorporation heretofore adopted.

SECTION 5. If any provision(s) of this Act or the application thereof shall be held by any court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this Act and the application of such provisions shall not be affected thereby, shall be enforced to the greatest extent permitted by law and are declared to be severable.

SECTION 6. This act takes effect upon becoming a law, the public welfare requiring it.

Passed: May 25, 2021

Teachers

Tenure

Private Acts of 1937 Chapter 8

SECTION 1. That all counties in the State of Tennessee, having a population of not less than 17,545 and not more than 17,555, according to the Federal Census of 1930, or any subsequent census, the teachers and principals of schools of such counties shall have certain qualifications and tenure of office as herein set forth.

SECTION 2. That teachers employed by the school authorities of said counties shall meet the certification requirements and regulations of the State Board of Education, and other requirements provided.

SECTION 3. That all teachers hereafter employed by the school authorities of said counties to teach in the elementary schools shall have completed not less than two years' work in an accredited college, and that all teachers employed to teach in the high schools of said counties shall have completed not less than four years work in an accredited college, provided that this section shall not apply to any teacher now employed.

SECTION 4. That all teachers and principals employed by the school authorities of said counties during the first two years of employment shall be considered as probationary teachers and principals, during which time they shall be employed on annual contract which may or may not be renewed at the discretion of the employing authorities, provided that in the event of dismissal during the period covered by contract the teacher or principal shall have the same right of hearing as provided for teachers and principals on permanent tenure.

SECTION 5. That all teachers and principals employed by the school authorities of said counties who have served for two years or those who have not served for two years upon completion of two years of satisfactory service, and all teachers and principals hereafter employed, upon the completion of two years of satisfactory service, shall be employed on permanent tenure of office and shall not be demoted or dismissed except for inefficiency or immorality or on account of discontinuance of position, in which latter case the teacher or principal shall receive the first appointment of any position for which qualified.

SECTION 6. That a transfer of a teacher or principal from one position to another for which he or she is qualified, or from one school to another at the same salary, or the same comparative salary, if there has been a general salary increase or reduction, shall not be considered as a demotion.

SECTION 7. That no teacher or principal employed by the school authorities of said counties shall be preemptorily or arbitrarily demoted or dismissed but shall receive a written notice that demotion or termination of service is contemplated on a specific date and the notified teacher or principal may thereupon request that a written statement as to the grounds for demotion or dismissal shall be made, and following the delivery of such written statement the teacher or principal shall have fifteen days in which to request a hearing of said grounds as hereinafter provided.

SECTION 8. That the Chairman of the County Board of Education of said counties upon request for hearing being delivered to him or her in writing shall set a date for such hearing which date shall not be less than seven days nor more than twenty-one days after the request for such hearing has been made, and the Chairman and the County Board of Education of said counties shall hold such hearing at which time that teacher or principal shall have the right to be represented by counsel.

SECTION 9. That said County Board of Education of said counties shall issue writs of subpoena on request of either party to compel attendance of witnesses to testify at the hearing of such investigation, such subpoenas shall be signed by the Chairman of the County Board of Education of said counties and be served and obeyed in the same manner as subpoenas issued by Justices of the Peace under the general statutes of Tennessee, and any failure to obey such subpoenas may be enforced or punished in the same manner and to the same extent as is now provided by law for enforcing or punishing failure to obey subpoena issued by Justices of the Peace. The Chairman of the County Board of Education of said counties is hereby authorized to administer oath to witnesses at such hearing. Such hearing shall be held at the Courthouse in said counties and shall be public unless a private hearing is agreeable to parties filing the complaint and to the teacher or principal.

SECTION 10. That the Chairman of the County Board of Education of said counties shall preside at such hearing and the decision shall be rendered by a majority of the members of the County Board of Education of said counties unless there is a tie, in which case the deciding vote shall be cast by the Chairman. Upon the hearing said Chairman and County Board of Education shall consider the charges as preferred and the evidence thereon and upon rendering their decision shall immediately notify the teacher or principal involved, or their attorney of record. Notice mailed to the address, which must be furnished said Chairman by the parties, will be sufficient notification. If the decision is rendered in the presence of the teacher or principal against whom the charges have been made, no other notification will be necessary. Either party upon execution of cost bond or taking the pauper's oath will have seven days, from time notice is given of

its decision by the County Board of Education, in which to perfect an appeal by certiorari or otherwise to the Chancery Court of said counties for review of questions of law and fact.

SECTION 11. That if on final disposition of the case the employment of said teacher or principal is not terminated any unpaid salary during his or her suspension shall be paid in full.

SECTION 12. That if any sentence, clause or section of this Act be held unconstitutional, or the application of said Act be held unconstitutional, with respect to any person or circumstance, such holding shall not affect any other sentence, clause or section or application to any other person or circumstance.

SECTION 13. That all laws and parts of laws in conflict with the provisions of this Act be, and the same are hereby repealed, and that this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 11, 1937.

Education/Schools - Historical Notes

Board of Education

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

1. Private Acts of 1949, Chapter 365, as amended by Private Acts of 1953, Chapter 18, divided counties having a population of not less than 19,100, nor more than 19,200, by the Federal Census of 1940 into three school districts and a School Board which consisted of three members, one for each School District. This act was repealed by Private Acts of 1975, Chapter 4.
2. Private Acts of 1975, Chapter 4, was repealed by Private Acts of 2002, Chapter 129.

Superintendent or Director of Schools

The act referenced below once affected the office of superintendent of education in Marion County.

1. Private Acts of 1931, Chapter 729, provided that the county superintendent of schools in Marion County be elected by popular vote for a term of four years. Eligibility requirements for election, compensation, and duties were provided by the general school laws of the state.

General Reference

The following acts constitute part of the administrative and political heritage of the educational structure of Marion 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 1826, Chapter 15, established the Samuel Houston Academy as the county academy in Marion, to be located on a site near Jasper.
2. Acts of 1829-30, Chapter 156, authorized a lottery for the benefit of the Samuel Houston Academy.
3. Acts of 1832, Chapter 76, authorized the Treasurer of the School Board to perform the duties of bank agent in Marion County.
4. Acts of 1833, Chapter 303, authorized the Trustees of Samuel Houston Academy to place the academy funds in the stock of the Planters Bank.
5. Acts of 1839-40, Chapter 138, gave the Clerk of the common school district the authority to rent the school land for the purpose of cultivation to improve those lands.
6. Acts of 1855-56, Chapter 118, established the Sequatchie Valley Academy, naming a Board of Trustees to govern it. This Act was amended by Chapter 437, Acts of 1909, to change the school's name and to create the New Hope Independent School District, but this was repealed by Chapter 380 of the Private Acts of 1911.
7. Private Acts of 1859-60, Chapter 139, named Harvey Richards, William Pryor and R.E. Davis of Marion County to survey the second school township.
8. Acts of 1907, Chapter 264, created an independent school district out of parts of the counties of Marion and Sequatchie.
9. Acts of 1907, Chapter 273, created an independent school district in the Seventh Civil District of Marion County, to be controlled by three elected school directors This was superseded by the creation of a county board of education in Chapter 729, Private Acts of 1931.
10. Acts of 1907, Chapter 233, also created the New Hope School District, but its provisions were

superseded by Chapter 437, Acts of 1909, cited above.

11. Acts of 1909, Chapter 241, was a compulsory education law for Marion County, applying to all children between the ages of 8 and 16. This law required sixteen weeks or eighty days of school attendance each year and made parents of children who did not obey guilty of a misdemeanor. Chapter 95, Private Acts of 1911, amended the census figures in Section 11 of the original act.
12. Private Acts of 1915, Chapter 46, created the Monteagle Special School District out of parts of the Fourth and Eighth Civil Districts of Marion and Grundy Counties. Chapter 15, Acts of 1920 (Ex. Sess.), amended this Act to set the rate of taxation at 10¢ per \$100 of assessed valuation on property in the school district. These Acts were repealed by Chapter 311, Private Acts of 1929, which abolished the Monteagle Special School District.
13. Private Acts of 1915, Chapter 537, established the Whitwell Special School District out of part of the Second Civil District and including the town of Whitwell. Acts of 1920 (Ex. Sess.) Chapter 18, amended the original Act to set a new rate of taxation on property in that school district, but this amendatory Act was repealed by the Private Acts of 1925, Chapter 715, which also contained provisions for the election of new school commissioners for the Whitwell School District. Private Acts of 1927, Chapter 778, amended the original boundaries, excluding the Red Hill School from the district. The Whitwell Special School District was abolished and all of these Acts repealed by Chapter 16 of the Private Acts of 1929.
14. Private Acts of 1917, Chapters 96 and 136, provided for the election of a County Superintendent of Public Instruction in Marion County.
15. Private Acts of 1917, Chapter 132, abolished the County High School Board of Education and placed its powers and duties in the County Board of Education.
16. Private Acts of 1917, Chapter 373, authorized the County Board of Education to prorate and disburse the elementary school fund to insure that all elementary schools in Marion County could operate for the same number of days each year. This was amended by Private Acts of 1919, Chapter 19, which instructed the Marion County Trustee to prorate and distribute those school funds if the County Board of Education had not done so by the second Monday in September, 1919. Both of these Acts were repealed by Acts of 1920 (Ex. Sess.), Chapter 20.
17. Private Acts of 1917, Chapter 407, vested all authority to control, manage, collect and disburse special school funds in the County Board of Education, with the proviso that they could be used only for school purposes.
18. Private Acts of 1923, Chapter 184, was the first Act creating a general Board of Education for Marion County.
19. Private Acts of 1923, Chapter 651, placed the enforcement of the compulsory school attendance laws in the County Superintendent of Public Instruction; thereby abolishing the office of Marion County Attendance Officer.
20. Private Acts of 1925, Chapter 134, authorized the Board of Education to sell the property in Jasper known as the Samuel Houston Academy. This Academy had been the first public school established for Marion County.
21. Private Acts of 1929, Chapter 247, set the pay of members of the Marion County Board of Education at \$150 per year.
22. Private Acts of 1935, Chapter 122, authorized the Board of Education, the County Judge and the County Superintendent of Public Instruction, acting jointly, to borrow \$7,000 and to execute notes with an annual interest rate of 5% for the purpose of building and repairing school buildings in Marion County.
23. Private Acts of 1935, Chapter 275, directed that all special school funds for the old Fifth, Eighth, and Thirteenth Civil Districts be placed in the General Elementary School Fund of Marion County.
24. Private Acts of 1937, Chapter 8, set the qualifications and tenure of teachers and principals in the Marion County school system.
25. Private Acts of 1937, Chapter 760, renewed and validated the certificate of qualification issued by the State Board of Education to D.A. Tate. This was done so that Mr. Tate would be eligible for election as County Superintendent of Education, without any further examination.
26. Private Acts of 1947, Chapter 64, amended a section of Private Acts of 1931, Chapter 729, (found in this Chapter) which has not been superseded by Private Acts of 1949, Chapter 365 (also found in this Chapter). This amendment raised the salaries of members of the County Board of Education

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