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# Education/Schools - Historical Notes

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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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# 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 This act was repealed by Private Acts of 1975, Chapter 4.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 Private Acts of 1975, Chapter 4, was repealed by Private Acts of 2002, Chapter 129.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heritage of the educational structure of Marion County but are no longer operative since they have either been superseded, repealed, or failed to receive local approval.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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