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Acts of 1920 (Ex. Sess.) Chapter 93

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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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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 (\$.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.

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