



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

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## Chapter Vi - Education/Schools

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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 1949 Chapter 676

**SECTION 1.** After August, 1982, the Hamblen County Board of Education, shall consist of seven (7) members.

As amended by: Private Acts of 1982, Chapter 303

**SECTION 2.** That one (1) member of the County Board of Education shall be elected by the qualified voters of each of the seven (7) school districts within the county, which are defined and constituted as follows:

School district one (1) shall be composed of county legislative districts one (1) and two (2).

School district two (2) shall be composed of county legislative districts three (3) and four (4).

School district three (3) shall be composed of county legislative districts five (5) and six (6).

School district four (4) shall be composed of county legislative districts seven (7) and eight (8).

School district five (5) shall be composed of county legislative districts nine (9) and ten (10).

School district six (6) shall be composed of county legislative districts eleven (11) and twelve (12).

School district seven (7) shall be composed of county legislative districts thirteen (13) and fourteen (14).

Said legislative districts, dividing Hamblen County into fourteen districts, were adopted by resolution of the Hamblen County legislative body on November 16, 1981 in accordance with the reapportionment which resulted from the 1980 Federal Census in order to comply with the provisions of Tennessee Code Annotated, Title 5, Chapter 1.

As amended by: Private Acts of 1969, Chapter 73  
Private Acts of 1982, Chapter 303

**SECTION 3.** That at the August general election in 1982 and every two (2) years thereafter, the qualified voters of each School District shall elect one member of the County Board of Education, who shall reside in the School District from which he or she is elected, and that the term of office of members so elected shall be for a period of two years from and after the first day in September next following their election or until their successors are elected and qualified, and that not more than one member shall be elected from any one School District.

As amended by: Private Acts of 1969, Chapter 73  
Private Acts of 1982, Chapter 303

**SECTION 4.** That until the election and qualification of members of the County Board of Education in accordance with the provisions of this Act, the members of said County Board of Education shall be as follows:

School District No. 1 - O. L. McMahan.

School District No. 2 - Glenn Smallman.

School District No. 3 - Hal B. Noe.

School District No. 4 - Sam Rouse.

School District No. 5 - Oliver Roberts.

**SECTION 5.** That after the effective date of this Act, any vacancy occurring upon the County Board of Education in said County shall be filled by election of the Quarterly County Court, but members so elected shall serve only until their successors elected at the next regular County election are elected and qualified. Any vacancy shall be filled from the School District in which such vacancy occurs.

**SECTION 6.** That Hamblen County shall be exempted from the provisions of Section 2317 of the Code of Tennessee with respect to the election of a County Board of Education by the Court, but said section shall remain in full force and effect as to filling any vacancies on the Board as herein provided.

**SECTION 7.** The compensation of the chairman and members of the County Board of Education shall be paid in the same amount and in the same manner as the compensation is paid to the Hamblen County Commissioners.

As amended by: Private Acts of 1982, Chapter 303

**SECTION 8.** That said County Board of Education shall have and exercise all the powers, duties, functions and obligations presently imposed on County Boards of Education by the general law. And all the general school laws now existing not inconsistent with this Act shall be in full force and effect with respect to said County.

**SECTION 9.** That the members of said County Board of Education shall meet, qualify and organize within ten days after their election or appointment by electing one of the members as Chairman, who shall serve for a period of one year or until his successor is elected and qualified and thereupon said Board of Education shall assume all the duties and responsibilities required by County Boards of Education under the general school laws of the State.

**SECTION 10.** That Chapter No. 584, House Bill No. 1282, Private Acts of the General Assembly of the State of Tennessee of 1937, is hereby repealed and the present County Board of Education in Hamblen County, Tennessee, is hereby abolished.

**SECTION 11.** Be it further enacted, that 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 he was elected.

As amended by: Private Acts of 1982, Chapter 303

**SECTION 12.** That all laws or parts of laws in conflict with 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: April 12, 1949.

## Education/Schools - Historical Notes

### Superintendent or Director of Schools

The act referenced below once affected the office of superintendent of education in Hamblen County, but is no longer operative.

1. Private acts of 1986, Chapter 158, provided for the election of the county superintendent of public instruction by the qualified voters of Hamblen County for a term of 4 years after the August 31, 1992 general election. The qualifications, compensation, powers, duties and liabilities of the superintendent of public instruction was prescribed by general law.

### General Reference

The following acts constitute part of the administrative and political heritage of the educational structure of Hamblen 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 1909, Chapter 494, was a compulsory attendance law for Hamblen County. It required the parents and/or legal guardians of children between the ages of eight and fourteen to see that their children attended school for four months or eighty consecutive days of each school year. The children could be excused from attendance if a physician certified that they were mentally or physically incompetent to attend. If they received private instruction, they could demonstrate through examination their competence in the subjects taught in public schools. Private Acts of 1911, Chapter 221 and Chapter 306 amended this act. Later, Public Acts of 1978, Chapter 716, repealed this act.
2. Private Acts of 1911, Chapter 378, was the next compulsory attendance law for Hamblen County. It applied to children between the ages of eight and sixteen, and required that they attend public or private schools. Children were exempted from this law only if a physician certified them incapable of attending school, if their parents were unable due to poverty to properly clothe the child for school, or if there was no school for their race within 2½ miles from their home. Parents/ legal guardians who did not see that their child attended under the provisions of this law were guilty of a misdemeanor and subject to a fine.
3. Private Acts of 1925, Chapter 814, gave the Hamblen County Board of Education the right of eminent domain to secure land and property for school buildings and grounds and set the procedure to be followed in condemnation proceedings.
4. Private Acts of 1937, Chapter 584, created a Board of Education for Hamblen County, consisting of three members, but in the next section of this Act, the Quarterly County Court was authorized to appoint five members to the Board of Education, from the county-at-large, with no more than three members belonging to the same political party. This was repealed by Private Acts of 1949,

Chapter 676, found in this volume, which created the current Board of Education for Hamblen County.

5. Private Acts of 1941, Chapter 425, created the "Hamblen County Special School District" of all the lands of the county lying outside the corporate limits of Morristown. This Act also authorized a bond issue for \$100,000 the proceeds of which were to be used to improve the school buildings at Russellville, Witt, Whitesburg, Fairview, Springvale and Lowland. This has been superseded by the provisions of the current Board of Education law, found in Private Acts of 1949, Chapter 676.

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