



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

November 19, 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 1992 Chapter 204

SECTION 1. Chapter 344 of the Private Acts of 1972, as amended by Chapter 61 of the Private Acts of 1975, and any other acts amendatory thereto, are hereby repealed.

SECTION 2. Lawrence County shall be divided into nine (9) school districts which shall be coextensive with the county commissioner districts established by the county legislative body of Lawrence County following the 1990 census. School districts may be altered or reestablished from time to time by resolution of the county legislative body so long as such districts are of substantially equal population. One (1) member of the Lawrence County board of education shall be elected by the qualified voters in each school district. Board members shall be elected to staggered four (4) year terms so that the terms of approximately one-half (1/2) the board members shall expire every two (2) years. Persons elected in the regular August elections shall take office on September 1 following the election, and shall serve until a successor is elected and qualified.

SECTION 3. No incumbent member of the Lawrence County board of education shall be removed from office as a result of changes in the school districts in Lawrence County. In the event that changes in school districts result in a board member no longer residing in the district he or she represents, such member shall continue to hold office until the expiration of his or her term. If changes in the boundaries of school districts result in more than one (1) board member residing in a single district, all such members shall continue to hold office until their respective terms expire, and no representative shall be elected in such district until the last such member's terms expire, and no representative shall be elected in such district until the last such member's term expires, at which time that district shall elect a resident to the board to an initial term established by the county legislative body which will allow for continued staggered terms, and to four (4) year terms thereafter. If changes in the boundaries of school districts result in one (1) or more school districts which are without a board member shall be elected from each such district to an initial term established by the county legislative body which will allow for continued staggered terms, and to four (4) year terms thereafter. It is to be understood that changes in the boundaries of school districts may result in the number of members on the board temporarily exceeding the number of school districts until the expiration of the terms of the members then in office.

SECTION 4. To accomplish the transition from the former three (3) school districts to the nine (9) school districts established under this act, the provisions of Section 3 of this act shall be followed so that the board members in office on the effective date of this act shall continue to serve until the expiration of their respective terms or until their successors are duly elected and qualified. At the August 1992 election, school districts 1, 4, 5, 7 and 8 shall each one (1) board member to a four (4) year term. At the August 1994 elections, school districts 2, 3, 6 and 9 shall each elect one (1) board member to a four (4) year term.

SECTION 5. Except as otherwise provided herein, the Lawrence County Board of Education shall have the same powers, duties, privileges and qualifications as the Board of Education established pursuant to Tennessee Code Annotated, Title 49.

SECTION 6. 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 7. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the board of county commissioners of Lawrence County. Its approval or nonapproval shall be proclaimed by the presiding officer of the board of county commissioners of Lawrence County and certified to the Secretary of State.

SECTION 8. 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 7.

Passed: April 13, 1992.

Education/Schools - Historical Notes

Board of Education

The following acts once affected the board of education in Lawrence County but are no longer operative.

1. Private Acts of 1943, Chapter 38, abolished the existing Board of Education in Lawrence County and established a five member Board to be elected by popular vote to act in its place. The election would take place in August, 1944, and the candidate getting the highest number of votes was to serve 6 years, the two getting the next highest votes would serve four years, and the remaining two would serve two years, after which all who were elected would serve six years. This Act appointed J. T. McKinney, Walter Alexander, John G. Crews, J. Fletcher Webb, and Emmett B. Richardson, as the members of the first Board until the general election. The Board would fill any vacancy occurring in the office of County Superintendent of Schools. Members of the Board would be paid \$10 per month on warrants drawn on funds provided by law. The Board would select one of its own members to serve as Chairman.
2. Private Acts of 1951, Chapter 31, abolished the Board created in the 1943 Act and set up a nine member Board of Education who were required to meet all the qualifications and perform all the duties prescribed for them under the general law. The Board of Education could approve, or reject, teachers, but only those teachers who were nominated by the Superintendent, or the Chairman. The current Board members would remain in office until their term expired but succeeding members and new members were to be selected by the Quarterly Court. The term of office extended for eight years. The Chairman of the Board would be paid \$25 per month and the members were to get \$10 per month. The members of the Board would select their own Chairman.
3. Private Acts of 1970, Chapter 274, which was rejected by the Lawrence County Quarterly Court and never took effect, would have abolished the then existing School Board and set up a nine member Board who would be elected by popular vote and perform the functions specified under the general laws of the State. Lawrence County was divided into three School Districts composed of various Civil Districts. No member of the County Court, or other county official, was eligible to serve on this Board. Three members of the Board would be elected in each District for a term of four years. The Quarterly Court would fill vacancies until the next general election for the Board. Board members would be paid \$10 per month and whose Chairman would receive \$25 per month. The Chairman would be selected by the other Board members.

Superintendent or Director of Schools

The acts referenced below once affected the office of superintendent of education in Lawrence County, but are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1921, Chapter 110, provided that in Lawrence County the County Superintendent of Public Instruction would be paid an annual salary of \$1,800 which would be paid out of the public school funds of the county by the County Trustee on order of the County Board of Education. This Act would in no way affect the supplemental pay from the State to the Superintendent. This Act was repealed by Private Acts of 1923, Chapter 438, Page 1693.
2. Private Acts of 1927, Chapter 543, declared that in Lawrence County all holders of County Superintendent's Certificates, expired or still in effect, the issuance of which was authorized by the State Board of Education since the year 1919, and who have had as much as four years experience as County Superintendent of Public Instruction, and five years teaching experience would be eligible candidates for the office of County Superintendent of Public Instruction and qualified to hold the same if elected thereto. This act was cited in the case of Derrick v. Lumpkins, 20 Tenn. App. 77, 95 S.W.2d 939 (1936).
3. Private Acts of 1943, Chapter 2, as amended by Private Acts of 1943, Chapter 161, Private Acts of 1947, Chapter 616, Private Acts of 1953, Chapter 150, created the office of the county superintendent of schools in counties with a population of not less than 28,700 and not more than 28,750 according to the Federal Census of 1940.

General Reference

The following acts constitute part of the administrative and political heritage of the educational structure of Lawrence 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 1825, Chapter 332, instructed the Commissioners of the town of Lawrenceburg to execute a deed in fee simples to Isaac S. W. Cooke, William Davis, Josephus Irvine, George Lucas, Maximillian H. Buchanan, James Terril, and James Bumpass, who had been appointed as the

Trustees of Jackson Academy, to a certain lot in Lawrenceburg provided the Trustees assumed the payment of a mortgage on the property. The Trustees were empowered to promulgate rules and regulations for the management of the Academy and the internal discipline of its students and faculty.

2. Acts of 1833, Chapter 42, declared that the Chairman of the Board of Trustees for any free school, or the clerk of any Church in the Counties of Wayne, Lawrence, Hardin, and McNairy would be entitled to have surveyed and laid down on any general plan of the District where the land lay, any quantity of vacant land, not over four acres, for the erection of a school house, or a church meeting house which, when done, would give them title to the land.
3. Acts of 1837-38, Chapter 99, Section 4, incorporated George Lucas, William McKnight, Jr., Thomas D. Davenport, John G. McDonald, Ezekiel Lindsay, Daniel Bentley, John Stephenson, Augustin W. Bumpass, Joseph Miller, and Martin McAnally, as the Trustees of Lawrenceburg Academy who would have and could exercise all the rights and powers commonly granted to corporate institutions of learning.
4. Acts of 1839-40, Chapter 29, was the legal authority for the County Trustee of Lawrence County to receive from the late Chairman of the Board of Common School Commissioners any monies or any stock certificates which might be on hand as the internal improvement funds and distribute the same in the proportion with the regular apportionment amongst the county school districts. The Trustee was required to make an additional bond to the Chairman of the County Court.
5. Acts of 1839-40, Chapter 158, Section 9, provided that, if a vacancy came to exist on the Board of Trustees of the Lawrenceburg Academy, then the same would be filled by the remaining members of the Board. All the Trustees would be personally liable on any contract concerning the academy to which they agreed.
6. Acts of 1847-48, Chapter 75, divided the County Academy of Shelby County and the Jackson Academy in Lawrence County into two branches so as to create the Raleigh Female Academy and the Lawrenceburg Female Academy for the education of girls. The Trustees of the new schools would also be the Trustees of the old schools and any unexpended funds were to be shared with the new schools for the girls.
7. Acts of 1849-50, Chapter 99, established Lawrence College in Lawrenceburg, naming W. P. Rowles, James N. Bradshaw, William McKnight, Jr., Thomas D. Deavanport, Franklin Buchanan, Solon E. Rose, William Simonston, Gabriel Bumpass, R. H. Allen, Stephanus Bush, William B. Hall, C. L. Herbert, William White, and Joseph C. Sparkman, all of Lawrence County, and some others from Maury County, Wayne County, Hickman County, and Giles County as Trustees, and incorporated them as such. Their powers and duties were enumerated in the act most of which were those commonly associated with the management and control of corporate schools. The trustees of Jackson Academy were empowered to convey their school to Lawrence College, who would continue its operation.
8. Acts of 1853-54, Chapter 136, repealed those parts of Acts of 1847-48, Chapter 75, which required the counties of Shelby, Lawrence, Hardeman, Wayne, and Montgomery, to divide school funds equally between girls' schools and boys' schools, and which required the Trustees of Lawrenceburg Female Academy to be Trustees of Jackson Male Academy in Lawrence County, and that portion of the Act which directed that Lawrence Female Academy and Jackson Male Academy to share equally in all the school funds of Lawrence County. The County Court of Lawrence County were directed to appoint seven Trustees for the Jackson Academy who would also be trustees of the Lawrenceburg Female Academy. All funds would be joint, to be divided as the trustees directed.
9. Acts of 1891, Chapter 263, was the enabling legislation for the County Court of Lawrence County to sell the Lawrenceburg, or the Jackson, Academy and its grounds in one or more parcels as they deemed advisable and in the best interest of Lawrence County and to appropriate the proceeds of the sale to the payment of expenses of the sale and to the unpaid debts of the school, if any. The balance, should there be one, would be paid into the common school fund of the County.
10. Private Acts of 1907, Chapter 236, abolished the office of District Directors of every Tennessee County and set up County Boards of Education and District Board of Advisors in their place. The County Court would divide the County into five school districts, composed of whole civil districts, from each of which one member of the School Board would be elected. If there were less than five districts, the other members would run at large in the county. The duties of the Chairman, elected by the other Board members, of the Secretary who would be exofficio the County Superintendent, and the other members of the Board were specified and enumerated in the Act. A three member Advisory Board would be elected in each civil district by popular vote and perform the duties listed

in the act. This Act did not apply to city school systems.

11. Private Acts of 1907, Chapter 539, created the Etheridge School District in the Tenth Civil District as the same was described by metes and bounds in the Act. This School District was endowed with all the rights and privileges as others. The Clerk of the Board of School Directors would conduct a scholastic census upon which future payments of school funds would be based. The Act named J. D. Burch, Jerome Chapman, and M. L. Delong to serve as temporary Directors of the School District.
12. Private Acts of 1917, Chapter 409, divided the courses of study outlined by the State Board of Education for county high schools into two classes of subjects in Lawrence County which were (1) required subjects and (2) elective subjects. Required subjects consisted of English, Mathematics, History, and Science, and all the others were selective. A student must compile 16 units to graduate and no student could graduate with less than three units in each of the three departments of study.

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