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Chapter VI - Education/Schools

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

Commissioners

Private Acts of 1949 Chapter 183

SECTION 1. There is hereby created in Johnson County a county Board of Educational Commissioners to be composed of five (5) members.

As amended by: Private Acts of 1992, Chapter 231

SECTION 2. There shall be established three (3) educational districts composed of the following commissioner districts:

Commissioner Districts 1 shall constitute the First Educational District.

Commissioner Districts 2, 3, and 7 shall constitute the Second Educational District.

Commissioner Districts 4, 5, and 6 shall constitute the Third Educational District.

As amended by: Private Acts of 1974, Chapter 190

Private Acts of 1992, Chapter 231

Private Acts of 2002, Chapter 115.

SECTION 3.

(a) At the August General Election, 2002, and each four (4) years thereafter, there shall be elected from each Educational Districts One and Three the following number of members of the County Board of Educational Commissioners:

Educational District One - one (1) member. Educational District Three - two (2) members.

Educational District Three - one (1) member.

(b) At the August General Election, 2004, and each four (4) years thereafter, there shall be elected from Educational District Two the following number of members of the County Board of Educational Commissioners: Educational District Two - two (2) members.

(c) All members shall possess the qualifications, perform the duties, and their compensation shall be fixed in the manner now or hereafter prescribed by the general law.

As amended by: Private Acts of 1974, Chapter 190

Private Acts of 1992, Chapter 231

Private Acts of 2002, Chapter 115.

SECTION 4. That the members of the Board of Education now in office in said Counties shall serve as the Board of Educational Commissioners until the first day of September, 2002, when they shall be succeeded by the Board elected as hereinabove provided.

As amended by: Private Acts of 1974, Chapter 190

Private Acts of 2002, Chapter 115.

SECTION 5. That any vacancy or vacancies which may occur on said Board between elections shall be filled by the Quarterly County Court of such Counties.

SECTION 6. That each of the members of said Board of Educational Commissioners shall, before entering upon their duties, take and subscribe to an oath for the faithful performance of their duties and shall execute a bond in the penal sum of One Thousand (\$1,000.00) Dollars, payable to the State of Tennessee, conditioned for the faithful performance of their duties, with two or more sureties thereon.

SECTION 7. That if any section or part of this Act shall be held invalid it is hereby expressed as the legislative intent that the same may be elided and that the remainder of this Act shall remain in full force and effect.

SECTION 8. That all laws and parts of laws in conflict with this Act be and the same are hereby repealed; and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 15, 1949.

Superintendent or Director of Schools

Election by Popular Vote

Private Acts of 1949 Chapter 182

COMPILER'S NOTE: This Act may be superceded by general law found at Tennessee Code Annotated § 49-2-301

SECTION 1. That on and after the date herein set out the County Superintendent of Public Instruction in and for the Counties of the State of Tennessee having a population of not less than 12,990 and not more than 13,000, according to the Federal Census of 1940, or any subsequent Federal Census, shall be elected by the qualified voters of said Counties at the general August election of 1952 and every four years thereafter. The term of office of the first person elected hereunder shall begin on the first day of September, 1952, and continue until the first day of September, 1956, and until a successor is elected and qualified. The qualifications and duties of the Superintendent of Public Instruction shall be the same as those provided by the general law for County Superintendents of Schools and his compensation shall be fixed in the manner now provided by the general law.

SECTION 2. That the present Superintendents of Schools in said Counties shall serve as Superintendents of Public Instruction until the first day of September, 1952.

SECTION 3. That all laws or parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 15, 1949.

Teacher Pensions

Private Acts of 1943 Chapter 462

SECTION 1. That the County of Johnson be and it is hereby authorized to make the necessary contracts with any insurance company or companies authorized to do business in the State of Tennessee to provide for the retirement of the public school teachers of the County from active service, and to provide group annuity, insurance, pensions or retirement allowances for teachers thus retired.

SECTION 2. That the contract or contracts referred to in Section 1 shall provide for the payment of the teachers' share of the maintenance cost by making payroll deductions from the salaries of teachers by the County, and the County is hereby authorized to make such deductions from such salaries.

SECTION 3. That the contract or contracts referred to in Section 1 shall also provide for the County of Johnson to make financial contributions to the cost of maintaining the group pension or retirement system, and the County is hereby authorized to make such contributions.

SECTION 4. That the County is hereby given authority to take all necessary steps for inaugurating and maintaining said group pension or retirement system.

SECTION 5. That the power or authority vested by this Act in the County may be exercised by resolution adopted by the affirmative vote of a majority of the entire membership of the Quarterly County Court of the County at any regular meeting of said Court. The amount or proportion of the teachers' contribution to the cost of said system, the amount or proportion of the County's contribution thereto and all provisions of such contract or contracts may also be fixed by such resolution, and such resolution may authorize and direct the proper officials of the County to execute said contract and provide for the carrying of the same into effect.

SECTION 6. That all laws or parts of laws in conflict herewith, be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 9, 1943.

Education/Schools - Historical Notes

Board of Education

The following act once affected the board of education in Johnson County but is no longer operative.

1. Private Acts of 1998, Chapter 153, attempted to amend the Private Acts of 1949, Chapter 183, increasing the number of County Board of Educational Commissioners from 5 to 7. This act never received ratification locally.

General Reference

The following acts constitute part of the administrative and political heritage of the educational structure of Johnson County but are no longer operative since they have either been superseded, repealed, or failed

to receive local approval. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Acts of 1837-38, Chapter 275, incorporated Pine Grove Academy, which was to be located near or at Taylorsville as the county academy of Johnson County.
2. Acts of 1907, Chapter 151, created an independent school district out of portions of the fifth and sixth districts of Johnson County, Tennessee to be known as the "Eleventh School District." This independent school district was abolished when the first county-wide school board was established in 1929.
3. Acts of 1909, Chapter 234, was a compulsory school attendance law for Johnson and Carter counties, requiring parents and guardians of children between the ages of 8 and 16 years to send their children to school for 16 weeks or 80 days of each academic year. Violation of this act was a misdemeanor, punishable by a \$10 to \$50 fine.
4. Acts of 1909, Chapter 494, required parents and guardians to cause children between the ages of 8 and 14 years to attend public school at least four months or eighty days consecutively each year. This act was repealed by Public Acts of 1978, Chapter 716.
5. Private Acts of 1911, Chapter 342, provided that children between the ages of 8 and 16 years were to attend school at least fifteen days of each school month. Temporary absence of not more than five days per month could be excused, but violation of the act would subject the parents or guardians of the children to a fine of \$1.00 for each day missed.
6. Private Acts of 1929, Chapter 438, established the first county-wide school board for Johnson County and also provided for the election of a county superintendent of public instruction.
7. Private Acts of 1933, Chapter 298, abolished the office of truant officer in Johnson County.
8. Private Acts of 1937, Chapter 817, allowed teachers to retire after 25 years of service with a pension up to \$50 per month.

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