



November 23, 2024

Private Acts of 1971 Chapter 61

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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Private Acts of 1971 Chapter 61

SECTION 1. That in all Counties of the State of Tennessee having a population of not more than 25,000 nor less than 24,500, according to the Federal Census of 1970, or any subsequent Federal Census, the administration management, government, supervision, control and conduct of the public school affairs, and all powers and duties pertaining to, connected with, or in any manner necessary or incident to the proper conduct and control of the public schools in such counties, employment of teachers and labor, the erection, repairing and/or maintenance of buildings and furnishing of materials, labor, supplies and equipment shall be vested in the County Board of School Commissioners, said Board of School Commissioners to be elected by the popular vote of the qualified voters of the counties of this State to which this Act shall apply, in the manner, form, and for the terms hereinafter provided, and with the powers, duties and privileges herein conferred and granted, and for the compensation stated.

SECTION 2. That Jefferson County, Tennessee shall be divided into four (4) school districts as follows:

School District No. One shall compose and consist of County Commissioner Districts Nos. One, Two and Eight.

School District No. Two shall compose and consist of County Commissioner Districts Nos. Five, Six and Seven.

School District No. Three shall compose and consist of County Commissioner Districts Nos. Four, Nine and Ten.

School District No. Four shall compose and consist of County Commissioner District No. Three.

The County Commissioner Districts of the county referred to above shall be those districts as fixed and determined by the Board of County Commissioners of Jefferson County, Tennessee pursuant to statute or as fixed and determined by any court of competent jurisdiction.

As amended by: Private Acts of 1982, Chapter 216

SECTION 3. That the Board of School Commissioners of Jefferson County, Tennessee shall be composed of seven (7) members. These seven members shall be elected by the qualified voters of the respective school districts as follows:

School District One shall elect two members;

School District Two shall elect two members;

School District Three shall elect two members; and

School District Four shall elect one member.

The members of the Board of School Commissioners shall be elected from the Districts described in Section 2 in the August 1982 General Election and each four years thereafter. The members of the Board of School Commissioners elected pursuant to this Act shall hold their offices for a term of four years commencing September 1 of the year in which they are elected and until their successors are elected and qualified.

As amended by: Private Acts of 1982, Chapter 216

SECTION 4. That the system of staggered terms for members of the Jefferson County Board of School Commissioners is abolished. The terms of members of the Board of School Commissioners in office on the effective date of this Act shall end on August 31, 1982, regardless of when a particular member was elected.

As amended by: Private Acts of 1982, Chapter 216

SECTION 5. That the members of the Board of School Commissioners elected pursuant to this Act shall meet on September 1 of the year of their election or as soon thereafter as is practical at the Courthouse in their respective counties and take and subscribe to the oath required of other county officers before some official authorized to administer such oaths and shall organize the said County Board of School Commissioners by the election of one of their body as Chairman by a majority of those present, providing, a quorum is present, and shall thereupon assume all of the duties, powers, and authorities and responsibilities as set forth in this Act. The Chairman of said Board of School Commissioners shall not be entitled to vote as a member of said Board except in case of a tie. The Chairman shall be elected for a term of one (1) year and until his successor is duly elected.

As amended by: Private Acts of 1982, Chapter 216

SECTION 6. That said Board of School Commissioners shall hold regular meetings on the Second Thursday in September, December, March and June of each year for the purpose of transacting public school business. Special sessions may be called at any time by the Chairman or by the written requests of a majority of the Board.

SECTION 7. That all meetings, both regular and special, of said Board of School Commissioners shall be open to any resident who may desire to attend the same, provided that nothing herein shall be construed as denying such Boards the right to hold executive sessions, but no action shall be taken at such executive sessions which shall directly or indirectly involve the expenditures of public funds.

SECTION 8. That when a vacancy occurs in said County Board of School Commissioners by the death, resignation or the removal from the district from which such member was elected, or the failure of one or more of the District School Commissioners to qualify as provided in this Act, the remaining members in regular session, a quorum being present, shall elect some one to fill said vacancy until the next general election to be held in such county, and at such election a member shall be elected for the unexpired term.

SECTION 9. That the compensation of the members of said Board shall be fixed by the Quarterly County Court for their services when attending regular and special meetings and discharging the duties empowered by this Act.

SECTION 10. That the members of said Board shall be residents and qualified voters of the School District from which they are elected and shall be citizens of recognized integrity, intelligence and ability, to administer the duties of the office, and shall have a practical education. If any member ceases to reside in the district, the office of such member shall become vacant. No member of the Quarterly County Court nor any other county official shall be eligible for election as a member of said Board.

SECTION 11. That the Board of School Commissioners, in the counties of the State of Tennessee, to which this Act shall apply, shall have the exclusive supervision and control of all public schools, and they shall elect all teachers and fix their salaries and make all necessary contracts for such services. All such Board of School Commissioners shall have the power and authority to employ truant officers, bus drivers, and other laborers and employees necessary to erect, repair, furnish, improve, and maintain suitable school buildings, grounds, fixtures, equipment, supplies, and to acquire and hold real estate for school purposes. And said Board shall in all things have the power and perform all the duties now imposed by law on County Boards of Education as is now provided by the general laws of the State of Tennessee, or that may hereafter be enacted affecting the administration of school affairs in the State. And such Boards shall have the exclusive possession and control of all public school properties, both real and personal, now belonging to, in the custody of, or within the control of the school authorities of such counties, or any Board of Education thereof, or that may be hereafter acquired.

SECTION 12. That the Board of School Commissioners established by this Act shall have the same powers, duties, privileges and qualifications as are established and provided pursuant to Title 49, Tennessee Code Annotated.

SECTION 13. That the County Board of School Commissioners herein created shall have the power and authority to enter into contracts and agreements with persons, firms or corporations for the erection, purchase, repair or maintenance of its buildings and property, equipment and supplies, and for any other purpose deemed necessary by the Board of School Commissioners to carry out the provisions of this Act or in general law applicable to public school affairs, or in the proper discharge of the duties imposed by this Act.

SECTION 14. That all machinery, tools, supplies and equipment of every nature shall be bought through competitive bidding after ten (10) days public notice, published once in a County newspaper and also posted at the front door of the Courthouse, in all cases where the aggregate cost of the combined purchases exceeds the sum of Five Hundred (\$500.00) Dollars. All bids shall be sealed and submitted to the Board at its office, and shall be opened and announced by the Board in the presence of a majority of its members, at the hour and date stated in the advertisement. Any citizen shall be entitled to be present at the opening of said bids and inspect the same. All cash purchases shall be awarded to the lowest bidder where such bidder offers materials of suitable quality and quantity. If the bids so submitted are deemed excessive or otherwise unsatisfactory, said Board shall have the authority to reject all bids and advertise again in the same manner for new bids. Any purchases made without compliance with the foregoing requirements shall be illegal, void and unenforceable, except in genuine cases of emergency, where it is necessary to purchase materials or supplies speedily to avoid great inconvenience to the public.

SECTION 15. That the provisions of this Act are hereby declared to be severable. If any of its sections, provisions, excerpts, sentences, clauses, phrases, or parts be held unconstitutional or void the remainder of this Act shall continue in force and effect, it being the legislative intent, now being declared, that this Act would have been adopted if such matter had not been included therein.

SECTION 16. That this Act shall have no effect unless the same shall be approved by a majority of the qualified voters voting in a special election to be held in the counties to which this Act shall apply for such purposes. It shall be the duty of the County Board of Election Commissioners of the counties to which this Act applies to call a special election to be held in said County precincts of said County for the purpose of

accepting or rejecting the provisions of this Act. Upon the passage of this Act the said County Board of Election Commissioners shall give notice of the calling of said special election which is held on May 15, 1971. The ballots to be issued in such Election shall have printed thereon the caption, title, or general substance of this Act and, in addition, the following words:

FOR THE ADOPTION OF THE ACT: AGAINST THE ADOPTION OF THE ACT:

and the qualified voters of said County shall cast their vote for or against the adoption of this Act. The votes cast at such special election shall be canvassed by the County Board of Election Commissioners upon the first Monday next after the date of said election and the result of said election shall be proclaimed by said County Board of Election Commissioners and certified by them to the Secretary of State. The said election is declared to be for a county governmental purpose and the costs of conducting said election shall be paid from the general funds of said county. The qualification of voters to vote in said special election shall be the same as now provided for by law for participation in general elections in the State of Tennessee and laws applicable to general elections in the State of Tennessee which likewise apply to the special election herein provided for.

SECTION 17. That this Act shall be effective from and after its passage, the public welfare requiring it, but the provisions thereof shall not become operative until validated as provided in Section 16 herein.

Passed: April 14, 1971.

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