



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

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# Education/Schools - Historical Notes

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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,

The University of Tennessee  
County Technical Assistance Service  
226 Anne Dallas Dudley Boulevard, Suite 400  
Nashville, Tennessee 37219  
615.532.3555 phone  
615.532.3699 fax  
[www.ctas.tennessee.edu](http://www.ctas.tennessee.edu)

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# Education/Schools - Historical Notes

## **Board of Education**

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

1. Private Acts of 1907, Chapter 236, established a Board of Education and a District Board of Advisors in every Tennessee County, abolishing all the offices of District Director. Quarterly County Court would divide the County into five school districts, composed of whole civil districts, from each of which one member of the Board of Education would be initially chosen by the Quarterly Court to serve until the next general election when the member would be elected for two years by popular vote. Vacancies for the unexpired term would be filled by the appointment of the School Superintendent. The duties of the Chairman, the Secretary, and the other Board members were specifically in the act. A three member advisory board would be elected in each District by popular vote who were required to assume and discharge the responsibilities listed in this Act. This Act was not intended to apply to any city school system. Nine counties exempted themselves from this Act but Jefferson County was not one of them. (This Act was considered by the State Supreme Court in Whitthorne v. Turner (1927), 155 Tenn 303, 293 SW 147.
2. Private Acts of 1925, Chapter 814, established the procedure for the County Board of Education to exercise eminent domain. This has been superseded by general law found in T.C.A. 49-801 et seq.

## **Superintendent or Director of Schools**

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

1. Private Acts of 1927, Chapter 439, stated that hereafter in Jefferson County (identified by the use of the 1920 Federal Census figures for Tennessee) the County Superintendent of Public Instruction would be elected in the manner provided by law but the election would take place at the regular July meeting of the Quarterly Court instead of in January as was previously the case. The person so elected must meet all the qualifications under the law and serve a two year term. The incumbent Superintendent would serve until July, 1929, when the successor in office would be elected under the terms of this Act.
2. Private Acts of 1929, Chapter 772, stated that in Jefferson County (identified by the use of the 1920 Federal Census figures) the Superintendent of Public Instruction would be elected by the vote of the people, provided always that the qualifications for the position were fully met. The first election would occur in August, 1930, and every two years thereafter. Any vacancy would be filled by the Quarterly Court until the next general election by the people. The Quarterly Court would set the compensation to be paid to the County Superintendent by the county.
3. Private Acts of 1943, Chapter 243, amended Private Acts of 1929, Chapter 772, by changing the term of the School Superintendent from two years to four years.

## **General Reference**

The following acts constitute part of the administrative and political heritage of the educational structure of Jefferson 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 1806, Chapter 8, established county academies in several counties in the State, and exempted the faculty and the President from militia duty. Maury Academy would be the county academy for Jefferson County. This Act named George Doherty, Adam Peck, Thomas Galbreath, Thomas Snoddy, and Parmenas Taylor, as the Trustees for Maury Academy, who could ordain the rules and regulations for the operation and discipline of the school. The General Assembly could appoint added Trustees when needed.
2. Acts of 1807, Chapter 56, appointed added Trustees for several of the county academies in the State, naming William Mills, and Joseph Hamilton to the Board of Trustees of Maury Academy in Jefferson County.
3. Acts of 1809, Chapter 106, also named additional members to the Board of Trustees for several county academies. Andrew Henderson and Ebenezer Leath were named to the Board of Trustees for Maury Academy.
4. Acts of 1817, Chapter 58, nominated Hugh Martin, John Lane, William Moore, Joshua Bradford, and Joseph Hamilton, Jr., as Trustees for Maury Academy in Jefferson County who would have all

the powers and obligations of the other Trustees.

5. Acts of 1820, Chapter 47, named Robert McFarland and Shadrick Inman to the Board of Trustees for Maury Academy, conferring upon them all the rights and privileges enjoyed by all the other members of the Board of Trustees.
6. Acts of 1825, Chapter 73, appointed William Hill in Jefferson County, and several people named for other counties as commissioners to enter upon public lands for schools in their respective counties and ascertain the exact condition of the land. The Treasurer would supply a manuscript and a map of the said lands to the commissioners, who would examine the same, draw up proper records, and report the condition to their respective counties.
7. Acts of 1831, Chapter 267, Section 2, directed Napoleon B. Bradford, the Bank agent of Jefferson County, to refund to Thomas Snoddy the sum of \$22.46 which Snoddy, the treasurer of the common school fund, had paid to the Agent over and above the amount for which he was liable.
8. Acts of 1833, Chapter 282, required that the benefits of the Fifth Section of this Act to continue the Bank Agency in Campbell County to be extended also to the Clerks and Treasurers of the Board of Common School Commissioners of every county in the State in a similar situation, and upon the same terms. Jefferson County was among the counties mentioned in the caption of the act as coming under the provisions of this law.
9. Acts of 1837-38, Chapter 277, incorporated the present Board of Trustees, and their successors, of Holston College in the city of New Market in Jefferson County with the express authority to enact all rules and regulations for the successful operation and management of the college and for the internal disciplines of faculty and students.
10. Acts of 1849-50, Chapter 125, incorporated Henry J. Dick, William R. Caswell, William M. Bradford, James Fuller, William D. Fain, George M. Simpson, James Scruggs, Theodorick J. Bradford, and James P. Swann, as the Board of Trustees for the Dandridge Female Academy who would possess and could exercise all the power and authority normally incidental to the management of educational facilities and institutions.
11. Acts of 1851-52, Chapter 362, incorporated the Trustees of the Mossy Creek Missionary Baptist Seminary in Jefferson County.
12. Acts of 1855-56, Chapter 231, made the Dandridge Female Academy a Branch of the Maury Academy in Jefferson County. The Dandridge Female Academy would continue under the control and management of the original Board of Trustees. One-half of the Jefferson County funds for academies would be given to the Dandridge Female Academy.
13. Acts of 1855-56, Chapter 233, changed the name of the Mossy Creek Missionary Baptist Seminary in Jefferson County to Mossy Creek Baptist College with the retention in the latter of all the power and authority of the former. The Trustees of the Seminary were made the Trustees of the college with no diminution of privilege or responsibility.
14. Acts of 1865-66, Chapter 80, stated that the privilege of selling spiritous, vinous, or fermented liquors would not be granted to anyone for any location less than two miles of the Holston College, or the New Market Female Academy in Jefferson County. To grant the license would be a misdemeanor and to sell under the same would both be punishable by fines of up to \$250. Section 5 of this Act made the same prohibition applicable to Maury Academy and the Dandridge Female Institute in Dandridge.
15. Acts of 1866-67, Chapter 29, declared it to be harmful and a misdemeanor for anyone to sell, or to expose for sale, any spiritous, or malt liquors in any quantity whatsoever within two miles of Mossy Creek Baptist College in Jefferson County but this Act would in no wise prohibit or prevent the sale of the same for medicinal purposes within that area.
16. Acts of 1895, Chapter 210, changed the name of the Mossy Creek Baptist College became Carson-Newman College with certain powers and duties of the Trustees being prescribed.
17. Acts of 1901, Chapter 470, amended all prior acts so that the name of Mossy Creek Missionary Baptist Seminary and Mossy Creek Baptist College would be changed to Carson-Newman College. Some alterations were made concerning the number of Trustees and the authority given to all the Trustees.
18. Private Acts of 1905, Chapter 221, organized Special School District #8 in Jefferson County which would include the Fifth Civil District of the County as that district existed prior to the 1903 Redistricting Act. The intent of this Act was expressed to be to create a special school district embracing all of the old Fifth Civil District before the same was changed in 1903.
19. Private Acts of 1909, Chapter 225, required every parent, guardian, or any person having the

- care, custody, and control of a child between the ages of eight and sixteen to send that child to school at least ten consecutive weeks, or 50 days, in each year, unless the school term was for a lesser time than 50 days. Some exceptions were allowed such as the child being tutored privately, or was suffering from some physical disability. The County School Board could furnish books, and the other essentials necessary for an indigent child to attend school for the mandated period. Excuses for absence could be accepted and ratified by the classroom teachers, or principals, of the student involved. Any disobedience of the terms of this Act could be subject to fines from \$10 to \$50. Accurate attendance records must be kept for each child, or the teacher would forfeit pay. This Act applied to Jefferson County only, under the population figures quoted in the same.
20. Private Acts of 1909, Chapter 494, was another compulsory attendance law for Jefferson County which directed every parent, guardian, and custodian, of a child between the ages of eight and fourteen to send that child to school for four months, or 80 consecutive days, with the normal exceptions being allowed. Offenders could be fined \$1.00 for each day of school missed by the child for whom they were responsible. Teachers, and other school authorities, were directed to keep accurate attendance records on each child in their jurisdiction, or forfeit their pay. This Act applied to the counties of Carter, Clay, Cumberland, Fentress, Grundy, Grainger, Hamblen, Hawkins, Jefferson, Johnson, Knox, Loudon, Morgan, Macon, Pickett, Trousdale, Unicoi, and Washington. This Act, as amended later, was repealed specifically by Public Acts of 1978, Chapter 716.
  21. Private Acts of 1909, Chapter 543, was apparently a duplicate of all the provisions of Private Acts of 1909, Chapter 494, above, except that this Act applied only to Jefferson County and Monroe County.
  22. Private Acts of 1911, Chapter 347, was another version of the compulsory school attendance law, which directed every parent, guardian, and custodian of any child between the ages of eight and fifteen to send them to school for 80 consecutive days, or for 16 weeks, beginning at the start of the school year with only those exceptions mentioned in the act. The Poor Commissioners were authorized to provide the assistance needed for poor children to attend school. Teachers and school principals were given the authority to excuse a child's failure to attend, although non-compliance herewith could lead to fines from \$2.00 to \$10.00 for each offense. The salaries of teachers and principals would be held up if accurate attendance records were not kept. Notices must be sent to the parents, guardians, or custodians when a child was absent from school. Fines would be exacted and offenses prosecuted in the name of the State of Tennessee.
  23. Private Acts of 1911, Chapter 447, amended the 1856 Act which changed the name of Mossy Creek Baptist College to Carson-Newman College to provide that the Board of Trustees would consist of 33 members who would hold office and be selected as was provided therein. A five member Executive Committee could be selected by the Board of Trustees to attend to the direction of the school for the year immediately following their selection.
  24. Private Acts of 1913, Chapter 225, amended Acts of 1895, Chapter 210, in Section 2 by adding a provision that three-fourths of the Trustees of Carson-Newman College in Jefferson County must be members of the Missionary Baptist Church in good standing because the College was under the guidance and control of that religious denomination. No gift or donation would ever be diverted from the use and benefit of the College or deviated from the purpose for which it was designated by the donor. All laws in conflict with this Act were repealed.
  25. Private Acts of 1923, Chapter 400, directed the Trustee of Jefferson County to pay over to the Recorder of Jefferson City that city's prorated share of High School funds in the trustee's hands from all sources which would be based upon the average daily attendance of all high school students, this apportionment to continue as long as Jefferson City maintained a high school.
  26. Public Acts of 1925, Chapter 115, in Section 33, abolished all special school districts in existence, which were not taxing districts, provided for a referendum election to be held in those which were taxing districts on the question of their abolition and authorized all school districts whose debts were paid in full to join any county public school system. This entire Act codified as Title 49, Tennessee Code Annotated.
  27. Private Acts of 1925, Chapter 128 was the legal authority for the County Court of Jefferson County by a majority vote to use unexpended funds which were raised under the authority of Public Acts of 1921, Chapter 533, for High School purposes. These funds would be turned over to the County Trustee who was directed to place the same to the credit of the High School Building Account.
  28. Private Acts of 1953, Chapter 321, authorized and directed the Trustees of the Maury Academy Fund to expend the said funds, including the campus and income to improve the school grounds

and to purchase equipment, fixtures, and facilities for Maury High School in Dandridge which was the successor to Maury Academy. When accomplished the Trustees would fill a report of their activities with the Quarterly Court which report would be spread upon the minutes of the Court.

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