



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

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# Education/Schools - Historical Notes

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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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# Education/Schools - Historical Notes

## **Board of Education**

The following acts once affected the board of education in Henry County but are no longer operative. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1929, Chapter 741, authorized the County Board of Education in Henry County, upon the approval of the County Judge to borrow money on short loans at an interest rate not to exceed six percent, provided that in no event shall the amount borrowed exceed one-half of the entire tax levy for school purposes for a school year. The act also provided that the money borrowed for any one year shall be paid back out of the money derived for school purposes for and during that year. The County Board of Education was authorized to empower the executive committee of the Board, composed of the Chairman and Secretary to execute notes signed by them for such amounts as were required to pay teachers salaries and other incidental expenses.
2. Private Acts of 1933, Chapter 436, as amended by Private Acts of 1965, Chapter 122, and all other acts amendatory thereof divided Henry County into school districts and provided for the number, election and terms of members of the Henry County Board of Education. This act was repealed by Private Acts of 1995, Chapter 56.

## **Superintendent or Director of Schools**

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

1. Private Acts of 1919, Chapter 138, created the office of county superintendents of public instruction in counties having a population of not less than 25,430 nor more than 25,440 inhabitants, according to the Federal Census of 1910 or any subsequent Federal Census, and provided that the superintendent be elected for a term of two years.
2. Private Acts of 1927, Chapter 566, amended Private Acts of 1919, Chapter 138, by providing that county superintendents be appointed by the board of education for a term of four years with an annual salary of \$2,400.

## **General Reference**

The following acts constitute part of the administrative and political heritage of the educational structure of Henry 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. Public Acts of 1831, Chapter 16, declared that this act, which amended the Statewide Common School Act, was not intended to prevent any future legislature from disposing of the school funds allotted to Henry, Carroll, Weakley, Gibson, Dyer and Obion Counties.
2. Acts of 1837-38, Chapter 58, created the Board of Trustees of Paris College and vested in said Trustees the full power and authority to found a college at Paris in Henry County for the promotion of liberal arts and sciences and to use and enjoy, all the privileges and immunities held by any college or university in the State. The power to transact all the business connected with the college was vested in the Board of Trustees, except the conferring of degrees and the instruction and immediate government of the College which exclusively belonged to the President and faculty of the College.
3. Acts of 1845-46, Chapter 138, created the Board of Trustees of Paris Female Academy and vested in said Trustees the authority to transact all business relating to the interest, government and management of the Academy as deemed by them to be expedient and necessary and not inconsistent with the laws of the United States or Tennessee.
4. Private Acts of 1897, Chapter 234, provided that the school of Bluff Springs in Special District No. 60 in Henry County and the Johnson Chapel School in civil District No. 5 be consolidated into one school and be called Shell School.
5. Acts of 1901, Chapter 251, created a special school district in the Seventeenth Civil District of Henry County. The County Superintendent of Public Instruction was authorized to number the special school district and to appoint three Directors until a general election was held. The special school district was entitled to enjoy the same privileges and immunities held by other school districts.
6. Acts of 1905, Chapter 183, created a special school district in the Eighth Civil District of Henry

County. The County Superintendent of Public Instruction was authorized to number the school district and to appoint three Directors until their successors were elected at the next general election. The special school district was entitled to enjoy all the privileges and immunities applicable to other school districts.

7. Acts of 1905, Chapter 273, created a school in Puryear in Henry County, to be known as Puryear School. The school district was empowered to elect a five member school board who in turn, would elect three School Directors all of who would act together to employ teachers and work for the advancement of the school.
8. Acts of 1905, Chapter 302, established an independent school district, School District No. 17, in Henry County. The County Superintendent of Schools was authorized to appoint the three School Directors, to serve until the next regular election.
9. Acts of 1905, Chapter 348, provided that all the school houses and school districts in Henry County previously laid off by the County Court as school districts, with metes and bounds, be legal school districts with power to elect their own school directors. Provisions were included for Section 9 of the general State school law to apply to these districts and for the County Superintendent to fill any vacancies in the ranks of the School Directors.
10. Acts of 1905, Chapter 396, authorized the County Court of Henry County to purchase the grounds and erect a public high school at some suitable place at or near the county seat. The expenditures for said school were not to exceed \$40,000. The Court was further authorized to issue interest bearing warrants to pay for said grounds and building at a rate not to exceed six percent per annum and to levy an additional tax on property not to exceed twenty cents per one hundred dollars valuation in order to pay off the warrants.
11. Acts of 1907, Chapter 236, created a Board of Education and a District Board of Advisors for every county in the state, abolishing the office of District Directors. Counties would be divided by their County Courts into at least five school districts, to be composed of whole Civil Districts. One member of the Board of Education would be elected from each school district. The duties of the Chairman, the Secretary and the members of the Board were prescribed in the act. The County Superintendent would be ex officio Secretary to the Board. The members would be paid no less than \$1.50 and no more than \$3.00, as decided by the County Court, for each day devoted to their duty. The voters of each Civil District would elect three Advisory Board members whose duties were to advise the board.
12. Private Acts of 1915, Chapter 500, created the Cottage Grove Special School District in the Fifth Civil District of Henry County. The act specifically contains a lengthy metes and bounds description of the area embraced in the school district. The special school district would be governed by the County Board of Education and a three member Board of Trustees, who would be elected by the qualified voters in the District. W. I. Bondere, S.A.C. Austin and J. C. Rainey were appointed to the first Board of Trustees to serve until their successors were elected. The Trustees were required to be thirty years of age and residents of the District. The act provided for a tax of twenty-five cents on every one hundred dollars worth of taxable real and personal property indistinct and a poll tax of one dollar on all males between 21 and 50 years of age. The tax was assessed to meet the needs of the schools in the district.
13. Private Acts of 1917, Chapter 465, divided the public school system in Henry County into elementary schools and public high schools. The first eight grades would constitute the elementary schools and the next four the high schools. The high schools would be classified as two year, three year and four year high schools. The County Court was empowered to elect a High School Board to properly administer the high school funds and any other funds coming under the Boards' control.
14. Private Acts of 1921, Chapter 296, created a special school district in the Eleventh Civil District of Henry County. This special school district was to be designated and known as the Springville Special School District. The act named the lands that constituted the boundaries of the school district. This new school district was to be governed by the County Board of Education of Henry County and qualified voters of the district would elect a five member Board of School Trustees. The act appointed the first Board of Trustees consisting of R. N. Clendenin, W. W. Fitch and G. Grimble, who would serve a two year term of office and E. Williams and W. C. French, to serve a four year term. The act set out the qualifications and duties of the Board of Trustees and declared that the Board would serve without compensation, except the Secretary and Treasurer, who were allowed to receive compensation not to exceed 2% annually from the funds raised by special tax in the special school district. The act gave the Board of School Trustees the power to act only as an advisory Board together with the County Board of Education in the hiring of teachers, however

the Board could fix a supplementary salary for the teachers if necessary. The district enumerator was required to prepare a scholastic population list of the Special School District every year and make a report to the County Superintendent and the County Trustee. A school census was to be taken annually. A tax of twenty-five cents on every \$100 worth of taxable property located in the Springville Special District was levied, for the purpose of supporting the schools in the district. The Henry County Court had the authority to lower the tax rate if more funds than what was needed by the schools was produced. The act also allowed for a poll tax of fifty cents to be levied on all males between the ages of 25 and 50 years in the district. The Board of School Trustees for Springville were authorized to help in cooperation with the County High School Board to maintain a High School for the Special School District. The act designated the courses of study for schools in the district.

15. Public Acts of 1925, Chapter 115, Section 33, abolished all special school districts which were not taxing districts. The taxing districts could hold a referendum on the question of their own abolition and any district could join the county system when all their debts were paid. This entire chapter became Title 49, Tennessee Code Annotated.
16. Private Acts of 1927, Chapter 175, amended Private Acts of 1915, Chapter 500, above, by reducing the tax rate levied for schools to fifteen cents on every one hundred dollars worthy of taxable property both real and personal and gave the Board of School Trustees the authority to discontinue a tax levy if the funds were not needed for a particular year.
17. Private Acts of 1927, Chapter 205, changed the district line between the Seventh Civil District and the Paris Special School District so as to attach all the lands of Charlie Pryer lying in the Seventh Civil District to the Seventh District and detach said land from the Paris Special School District.
18. Private Acts of 1927, Chapter 625, changed the district line between the Springville Special School District and the Third Civil District of Henry County, so as to detach the lands of A. L. Sprague lying in the Springville Special School District and attach the lands to the Third Civil District.
19. Private Acts of 1927, Chapter 626, authorized the Quarterly County Court of Henry County to levy an additional special school tax on property in the County to provide funds for the establishment and maintenance of two year high schools meeting the requirements set out for two year high schools in Public Acts of 1925, Chapter 115, Section 14. The tax was to be collected by the County Trustee and held by him in a special separate account.
20. Private Acts of 1929, Chapter 714, amended Private Acts of 1921, Chapter 296, above, by providing that the President, Secretary and Treasurer of the Board of School Trustees be selected from amongst its members. The amendment also added a provision that authorized the Board and its successors to use any funds to the credit of the Special School District for the purchase of equipment or property for the elementary and high schools of the district or to assist the County School Board in the purchase of equipment or property and in building additional room for those schools, if there were sufficient funds each year set aside to extend the elementary term of school to at least a nine month term.
21. Private Acts of 1939, Chapter 275, repealed Private Acts of 1915, Chapter 500, and its amendments, above, by abolishing the Cottage Grove Special School District.
22. Private Acts of 1945, Chapter 606, amended Private Acts of 1921, Chapter 296, by changing the boundary lines of the Springville Special School District.
23. Private Acts of 1977, Chapter 136, authorized a property tax to be levied for the purpose of supporting and maintaining the schools of the Paris Special School District, created by Private Acts of 1919, Chapter, 150. This act also provided for payment of the principal and interest on school bonds issued under Private Acts of 1965, Chapter 87. An annual tax of \$1.10 on each \$100 worth of taxable property was to be levied on property within the district. Such tax was to replace the 95¢ per \$100 worth of taxable property levied by Private Acts of 1965, Chapter 87. The act required 50¢ of the annual tax proceeds to be placed in a special fund and used for paying the principal and interest on the school bonds and 60¢ of the annual tax proceeds was to be allocated to the general school funds of the Paris Special School District. This act also repealed Private Acts of 1971, Chapter 185. This act was not acted upon by local authorities and never became effective law. This Act was repealed by Private Acts of 2016, Chapter 27.
24. Private Acts of 2004, Chapter 95, amended Private Acts of 1965, Chapter 87 as amended by Private Acts of 1977, Chapter 136, by levying a tax at the rate of 23¢ on every \$100 of real and personal property located within the Paris Special School District. This tax was levied to replace operating funds lost due to the failure of the Paris Special School District to receive TVA revenue sharing funds.

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