



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,

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# Education/Schools - Historical Notes

## **Board of Education**

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

1. Acts of 1907, Chapter 236, created a County Board of Education for every county in the state and a district board of advisors, while abolishing the office of district directors of the schools as they existed at that time. The county court of the county would divide it into five, or less, school districts, composed of whole civil districts, from each of which one member of the Board of Education would be elected. The duties of the chairman, the secretary, and the member of the board are all enumerated in the Act, with a provision that the Superintendent of Public Instruction in the county would be the ex-officio secretary to the board. They would fundamentally have the control and management of the entire school system including personnel. Each civil district could elect three advisory board members to serve two year terms, beginning on the first Thursday in August, 1908. The powers and duties of the advisory boards were also specified in the act. Some counties exempted themselves from the operation of this act but Jackson County was not among them.
2. Acts of 1907, Chapter 523, authorized and empowered the Board of School Directors of the Gainesboro High School to convey in fee simple by deed all school property now held by them to the town of Gainesboro. The board was also granted the authority to employ teachers for the said school and to enforce all the rules devised for its control and management.
3. Private Acts of 1933, Chapter 46, was repealed by Private Acts of 1992, Chapter 209.
4. Private Acts of 1945, Chapter 43, provided that the nomination of teachers in the elementary schools of Jackson County shall be made only by each member of the County Board of Education and for that particular civil district, or division, from which the member of the school board was elected and the board of education would contract with the teacher so nominated. The act would not apply to high school teachers. This act was repealed by Private Acts of 1951, Chapter 354.
5. Private Acts of 1949, Chapter 455, stated that, from and after the passage of this act, the members of the board of education in Jackson County would receive \$6.00 per day for their services, which payments would not exceed \$150 a year. The chairman would get an additional \$50 per year for the extra services he performs, all to be paid out of regular school funds

## **General Reference**

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

1. Acts of 1806, Chapter 8, established county academies in several of the counties existing at that time. This Act incorporated Thomas Draper, Nathaniel Ridley, John H. Bowen, Sampson Williams, and Ferdinand Hamilton as the Trustees for Montpelier Academy in Jackson County with the power to hold and convey land and to exercise all other powers incidental to corporate institutions. The Trustees were empowered to select and purchase a site for their institution.
2. Acts of 1811, Chapter 29, named additional Trustees for several of the county academies across the State, including Montpelier Academy in Jackson County to whose Board of Trustees James Rolston, James W. Smith, James Vanoe, Jonas Bedford, and Nathan Haggard were named.
3. Acts of 1811, Chapter 97, appointed Jacob Baker, Patrick Fitzgerald, Pleasant Kearby, Matthew Rogers, and George White as the Trustees for a lottery to benefit Montpelier Academy in Jackson County. The Trustees named would draft a scheme to raise an amount not to exceed \$5,000. The Trustees must enter into bond in double that amount to guarantee payment of the lottery prize when the same were drawn.
4. Acts of 1837-38, Chapter 33, was the authority for the County Court of Jackson County to increase the number of Trustees for Montpelier Academy to 13, if they deem the same proper and in the best interests of the academy. The duties of the President and Treasurer, whom the Trustees would select from their own number, were enumerated in the statute. The Trustees may select a site for the academy at or near Gainesboro which would be most convenient for the whole County and, when found, to purchase the site. The Trustees were permitted to sell the old Academy and apply the proceeds to the new one, or they may lend the money out on good security when the loans are approved by the trustees. This Act amended Acts of 1806, Chapter 8.

5. Acts of 1839-40, Chapter 102, named the official county academies in all the counties of the State. In Jackson County, it was the Montpelier Academy. All the funds in the state treasury which are available as Academy funds will be distributed accordingly. The County Courts would appoint trustees for the academies for two year terms.
6. Acts of 1841-42, Chapter 78, amended Acts of 1839-40, Chapter 102, by requiring the County Court on the first Monday in January in each and every year to appoint Trustees for the County Academy who shall hold office for one year and have the same powers as are mentioned in the amended act.
7. Acts of 1843-44, Chapter 94, incorporated Christopher Clemens, James Kirkpatrick, Amos Kirkpatrick, Scott S. McGlasson, John Tinsley, Robert Montgomery, Mounce Gore, R. P. Brooks, Samuel Dewitt, Alexander Montgomery, J. T. Quarles, William Armonette, and W. M. Cooke, as the Trustees of Jackson Seminary who would have succession for 500 years. The Trustees may meet at any time when called by the President but at least five must be present to transact business. The Board shall fill all vacancies as they may occur.
8. Acts of 1845-46, Chapter 71, provided that, when the County Court Clerk shall make returns of the scholastic population in the fractions of White, Overton, and Jackson Counties, formerly composing part of Putnam County, for the years of 1844 and 1845, to the Comptroller of the State, that, if it appears they did not receive the school funds due them for those years, it shall be the duty of the Comptroller to pay to the Trustees of those counties the amount of school funds justly due them.
9. Acts of 1845-46, Chapter 185, stated that the Trustees of the counties of Overton, Jackson, and White were required to settle with the former school commissioners of the school districts in the said counties, and, if it is ascertained that the Commissioners have paid out more money than they have on hand, they shall be personally refunded for the difference.
10. Acts of 1847-48, Chapter 31, provided that the balance of the school fund allotted to Putnam County for 1844, and remaining undrawn from the Treasury shall be paid to the Trustees of White, Overton, and Jackson Counties according to the pro rata share of the scholastic population of each county and the same be applied exclusively to the benefit of the fraction of those counties which went to make up Putnam County, and the school funds for the year 1845 shall be applied and divided the same way.
11. Acts 1849-50, Chapter 171, incorporated Granville Seminary with all the rights pertinent and incidental to corporate institutions whose trustees are empowered to promulgate regulations for the orderly conduct of the school's affairs. The Board of Trustees would have eleven members who shall first be elected by the Granville Division of the Sons of Temperance #167.
12. Acts of 1877, Chapter 54, recited that the Montpelier Academy in Jackson County was destroyed by fire but that some of the assets are still available to Trustees, and that there is a lot in Gainesboro which is owned by the Academy, this Act then allows the Trustees to use a sufficiency of the said funds to rebuild the Academy on the said lot, to be used exclusively for school purposes and no other except as permitted by the Trustees.
13. Acts of 1881, Chapter 7, amended Acts of 1877, Chapter 54, so that the present or future Trustees of Montpelier Academy shall have power to sell the lot where the academy formerly stood when destroyed by fire and appropriate the proceeds of the sale with a sufficiency of funds already on hand, to purchase another suitable lot and to rebuild the said academy thereon, same to be within one-half mile of the County House of Jackson County.
14. Acts of 1901, Chapter 246, authorized the Trustees of Montpelier Academy to advertise and sell, and to transfer and convey on such terms as they deem best, together with the lot on which the said Academy stands in Gainesboro, and the proceeds on the sale shall be applied first to the amount due Jackson County for rebuilding the said Academy and the remainder, if any, to the County Trustee for the use of the First School District.
15. Private Acts of 1915, Chapter 609, amended Public Acts of 1913, Chapter 9, by changing the number of days for compulsory school attendance from 80 consecutive days to 90 out of the scheduled 120, or, if the school term is shorter than 120 days, to three-fourths of the number of days in the term. The Act loosened up the rules on excusing absences from school by permitting the teachers and the principal the authority to do so provided accurate reports were made and submitted on this question to the County Superintendent.
16. Private Acts of 1917, Chapter 630, gave the power to the Directors of the public schools of the various school districts in Jackson County to establish in their districts primary and secondary public schools in which may be taught the first ten grades of the public school curriculum.

17. Private Acts of 1939, Chapter 153, stated that in 1937 the Quarterly County Court of Jackson County authorized the issue of \$75,000 in bonds to build and equip a high school in or near Gainesboro, and it now appears that not all of this money will be needed, or used for said school and a considerable surplus remains, this Act authorized the Quarterly County Court at a regular term of the Court only, to transfer the balance of these funds after the above school purpose has been completed, to any other fund, or school account, which might need it.
18. Private Acts of 1949, Chapter 577, made it lawful in Jackson County for the Commissioner of Education to issue a limited teacher's certificate to persons who satisfactorily establish the fact they have taught in said county for as long as ten years on permits or certificates which have lapsed. The certificate issued will permit the person to teach only in the schools in Jackson County and only for a period of two years, but the certificate may be renewed if the person has taught for as long as 15 months during the two year period.

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