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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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Board of Education

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

1. Private Acts of 1915, Chapter 294, created a high school system for Campbell County, authorized a special tax levy, or high school tax, of not less than fifteen cents, and not more than twenty cents, per \$100 of valuation, and vested the management, operation and control of the high schools in a three member county high school board, whose secretary in an ex-officio capacity would be the superintendent of public instruction. The members would serve three year terms arranged so that one would be elected in January of each year. The superintendent would be paid by the board for his duties as secretary, and the members would be paid by the quarterly court, not to exceed \$100 a year. There would be at least two high schools, one at the county seat, and the other at Jellico. The county superintendent would supervise the schools into which would be admitted all eligible pupils.
2. Private Acts of 1915, Chapter 433, stated that it would not be lawful in Campbell County and the board of education was not authorized to use any part of the common school fund derived from taxes, privileges, or from the state, to purchase sites for, or to erect public school buildings. This could be done only with funds coming from the sale of bonds under the terms and conditions set up by public law.
3. Private Acts of 1925, Chapter 395, allowed the county board of education to establish and maintain one or more junior high schools of the seventh and eighth grades from the elementary system and of the ninth grade from the high school system, and with the authority to operate them in collaboration with any city school system. A curriculum would be set up for these schools which will contain all the essential requirements demanded by state law, and, in addition, would add home economics, agriculture, vocational, civics, and industrial courses.
4. Private Acts of 1927, Chapter 323, created a seven member board of education for Campbell County and repealed all conflicting laws. One member would be elected from each of the five civil districts of the county and the other two at large to take office on Sept. 1, 1928, and every two years thereafter. Each member would be paid according to the state law but, if no state law provided for such, then as the county court might determine. County superintendent would serve as ex-officio secretary and the members would select their own chairman from among their members. The board was authorized to employ a superintendent who would be an employee and not an official, and who must meet the standards enumerated in this law, the old position being abolished. The salary for the new position would be established by the county court.
5. Private Acts of 1943, Chapter 292, declared that all the counties of the state having a population of not less than 31,125 nor more than 31,140 by the Federal Census of 1940, the board of education shall meet at the county seat at such times as it may deem necessary or upon call of the chairman for transaction of any and all business of the board. The board members received a compensation of \$3.00 per day and ten cents per mile one way, except the chairman of the board who received \$150.00 per annum, payable monthly out of the general school funds of the county. The act further outlined the election of teachers and all other employees of the board of education only upon recommendation of the county superintendent of education .
6. Private Acts of 1949, Chapter 228, created a county board of education in counties of this state with a population of not less than 31,000, nor more than 32,000 by the Federal Census of 1940. The act also established school districts in said counties; provided for the election of the members from each district by the voters; and provided for the rights, powers and duties of the members of such school board.
7. Private Acts of 1955, Chapter 348, would have amended Private Acts of 1949, Chapter 228, published herein, by setting the compensation of the members of the board of education at the rate of \$10 per day for each day spent in attendance at their meetings and twelve cents a mile for each mile traveled one way, between home and county seat. The chairman of the board would receive \$35 a month plus twelve cents a mile, all of which would come from the general fund of the county but this act was rejected and disapproved by the quarterly court and therefore never became a law.
8. Private Acts of 1959, Chapter 183, would have amended Private Acts of 1949, Chapter 228, also by setting the compensation of the board of education at \$10 per day, the salary of the chairman at \$35 per month, and all members to be paid twelve cents per mile for each mile traveled, one

way, between home and the county seat, the same to come out of school funds, but this act was also rejected by the quarterly county court of Campbell County.

9. Private Acts of 1961, Chapter 309, created a five member board of education, one to be elected by the people residing in each of five school districts, likewise created by the act and composed of whole civil districts. Arrangements were also included which staggered the terms of board members, it being the intention of the general assembly to confer upon the board and the superintendent the control and administration of the school system. The act called it to be submitted to the people in a referendum but the quarterly county court did not allow it to get that far, having rejected it themselves.
10. Private Acts of 1987, Chapter 102, outlined the election of the seven member school board of Campbell County. Each member was elected for four year staggered terms. School districts three and six held elections on August, 1988; school districts one, four and seven held elections on August, 1990; and school districts two, five, three and six held elections on August, 1992. Biennially thereafter, at the regular August, 1988, election school board members were elected for four year terms from the districts as provided.

General Reference

The following acts constitute part of the administrative and political heritage of the educational structure of Campbell 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, Second Session, Chapter 8, incorporated James Groat, Hugh Montgomery, Hutchins Burton, Michael Huffacre, and Sampson David, as a body corporate and politic, to be known as trustees of Franklin Academy in Campbell County. They were given all the powers incidental to corporations to execute the purposes of this act.
2. Private Acts of 1827, Chapter 237, appointed Thomas Wheeler, John Philips, David Richardson, and Abraham Hayter as trustees of Franklin Academy in Campbell County.
3. Public Acts of 1875, Chapter 122, authorized and empowered the trustees of the Franklin Academy in Jacksboro to expend all or any part of the funds of the said academy at any time, and, in any manner in which they, or a majority of them, deem best.
4. Acts of 1905, Chapter 176, created a special school district to be known as the Elk Valley School District, described in metes and bounds, and located in Campbell County. The board of election commissioners were required to hold an election for the people to choose the three school directors to serve said district. This school district would have all the rights, privileges and emoluments of other school districts in the state.
5. Acts of 1907, Chapter 236, abolished all the positions of district directors of the schools in the state and created a board of education and district advisors in all counties. The counties would be divided 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. If less than five districts were in the county the other members would run at large so that all boards of education would have five members. The county superintendent would be secretary to the board, and would fill vacancies on the board, if one should occur. The basic duties of the chairman, whom the board would select from their own number, the secretary, and the members are enumerated in the bill. Compensation would be set by the county court and be between \$1.50 and \$3.00 per day for each day spent in actual service, up to 30 days per year. The voters in each district would elect a three member advisory board who were given certain duties to perform. Some counties exempted themselves from the provisions of this act but Campbell County was not one of them. This law was tested in Whitthorne v. Turner, 155 Tenn. 303, 293 S.W. 147 (1927).
6. Acts of 1907, Chapter 604, provided for and enforced the education of all children between the ages of eight and sixteen years in counties of the state which had a population of not less than seventeen thousand three hundred and not more than seventeen thousand and four hundred according to the Federal Census of 1900.
7. Private Acts of 1925, Chapter 445, provided the quarterly county court of Campbell County, using 1920 Federal Census figures, with the authority to levy an additional tax in excess of the aggregate state tax for all purposes, for the purpose of creating a school fund sufficient to extend the elementary schools of the county to eight months out of the year.
8. Private Acts of 1927, Chapter 630, created a special school district known as the Caryville High School District to which the junior high school located in Caryville would be given. The district

would be managed by three trustees to be elected by the people at the general August election in 1928, and every two years thereafter. L. C. Sharp, J. M. Newport, and H. P. Pickle were named in the act to serve until the election. The powers and duties of the board of trustees are specified along with those of the secretary who would be the county superintendent of schools. The county trustee would pay the pro rata share of school funds to the district and, in addition, the county court must levy an annual tax on all the property in the area to operate the high school. All white children in the region were eligible to attend and others out of the district could attend when designated by the board.

9. Private Acts of 1939, Chapter 396, recited that the TVA condemned the Caryville High School in 1936, leaving the area without a school and, since that date, school has been conducted in the Baptist and Methodist Churches in 1936, 1937, and 1938. On December 6, 1937, the Caryville Baptist Church was destroyed by fire, and the cause was determined to be from a fire which had been banked on Sunday night after church in order to have the building warm for school on Monday. The building carried no insurance but \$35,000 was forthcoming from the state, and the county court, by resolution, appropriated \$7,000 to contribute to the rebuilding of the burned church. This act ratified the resolution and granted the authority to the county court to appropriate this amount for the purpose specified under these circumstances.
10. Private Acts of 1943, Chapter 205, allowed all counties having the population mentioned, which included Campbell County, to take over and operate the elementary schools of any and all incorporated towns and cities in the county, upon the recommendation of the board of education that same be done. The counties were further empowered to acquire by purchase, gift, or condemnation, or otherwise, any suitable property therefor, and to make settlements for the same.
11. Private Acts of 1951, Chapter 10, permitted the county board of education, with the concurrence of the quarterly court, to purchase certain properties, therein described, from Kolo and Eliza Wier Davis, in the city of La Follette, provided the Davis' execute a release from all claims they may have against the county on a school construction contract, and, provided further, that the grantors execute proper deeds of conveyance together with the furnishing of a fee simple title to the grantees, the consideration for all of which shall not exceed \$26,877.64.

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