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Chapter VI - Education/Schools

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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Table of Contents

| | |
|---|------------|
| Chapter VI - Education/Schools | . 3 |
| Board of Education | . 3 |
| Private Acts of 1929 (Extra Session) Chapter 4 | . 3 |
| Special School District | . 4 |
| Private Acts of 1925 Chapter 547 | . 4 |
| Superintendent or Director of Schools | . 5 |
| Private Acts of 1929 Chapter 748 | . 5 |
| Education/Schools - Historical Notes | . 5 |

Chapter VI - Education/Schools

Board of Education

Private Acts of 1929 (Extra Session) Chapter 4

SECTION 1. That Section 6, Chapter 115, Public Acts of the General Assembly of Tennessee of 1925, known as the General Educational Law, the caption of which is set forth in the caption hereof, be and the same is hereby amended so as to insert at the end of the paragraph thereof ending with the words "removal from the county" on page 323 of the public printed Acts of said General Assembly and just preceding the sentence of said page reading, "It shall be the duty of the Court Board of Education," and to provide the following:

Provided, That in Counties of the State having a population of not less than 10,240 and not more than 10,242, according to the Federal Census of 1920 or any subsequent Federal Census, the following shall obtain with respect to the composition, number, time and method of selecting, qualifications and certain of the duties of the County Boards of Education and the members thereof.

1. The County Board of Education shall be composed of fifteen (15) members, one (1) from, and elected by qualified voters of, each of the 15 Civil Districts.
2. Each member of said County Board of Education shall be not under 21 years of age and a citizen and resident of the Civil District from which he or she is elected.
3. At the regular August election, 1930, and every two years thereafter there shall be elected by the qualified voters of each of the fifteen civil districts of said counties a member of the County Board of Education who, before entering upon the duties of their offices, shall qualify by taking and subscribing to the oath required by law, and who shall hold their respective offices for a period of two years, or until their respective successors are duly elected and qualified.

4. The first County Board of Education under this Act shall be composed of the following:

Clark Barton, from the 1st Civil District
A. A. Tenpenny, from the 2nd Civil District
Ray Paschal, from the 3rd Civil District
Calvin Curlee, from 4th Civil District
Tom Parker, from the 5th Civil District
G. S. Smith, from the 6th Civil District
John Gilley, from the 7th Civil District
H. C. Mears, from the 8th Civil District
Shelah Wood, from the 9th Civil District
Clyde Hall, from the 10th Civil District
Earl McAdoo, from the 11th Civil District
James Caffy, from the 12th Civil District
Bob Parker, from the 13th Civil District
O. B. Alexander, from the 14th Civil District
Hall Markum, from the 15th Civil District

who shall qualify by taking and subscribing to the oath required by law and enter upon the duties of their offices and hold the same until the next regular August election in 1930, or until their respective successors in office are duly elected and qualified.

5. All vacancies hereafter occurring on the Board shall be filled by special election by the qualified voters of the particular civil district, or districts, in which same exists, or exist.
6. Special meetings of the Board shall be called by the Chairman thereof upon and according to the written request of a majority of Board members and may be called at any other time when, in the judgement of the Chairman, the interests of the public schools require it. Provided, That it shall be the duty of the Chairman and Secretary to notify all members of the Board of the time, place, and purpose of any and all special, or called, meeting by at least twenty-four hours' written notice served upon or left

with, or at the places of residence of, all members or, unless the request for the special meeting otherwise suggests, by publishing the same in some newspaper published in the county for not less than five days. Provided further, That no compensation shall be paid to, or received by, any member of said Board for, or on account of attending any special or called meeting of the Board.

SECTION 2. That the County Boards of Education as now exist in Counties of the State to which this Act applies, be and the same are hereby abolished.

SECTION 3. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

SECTION 4. That if any part, section, subsection, sentence, clause or phrase of this Act is, for any reason, held to be unconstitutional it shall affect the validity of the other or remaining portions hereof, and it is declared by the Legislature that it would have passed this Act and each of the parts, sections, sub-sections, sentences, clauses and phrases hereof irrespective of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 5. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: December 9, 1929.

Special School District

Private Acts of 1925 Chapter 547

COMPILER'S NOTE: The Tennessee Department of Education has no record of this special school district. It is included in this compilation, however, because it has not been specifically repealed or superseded by law.

SECTION 1. That a Special School District be, and the same is hereby created and established in Cannon County Tennessee, to be known as the Auburntown High School Special District, and to be comprised of and to embrace the Eleventh Civil District of Cannon County, Tennessee. The boundary of said District of Cannon County as now established.

SECTION 2. That the officers of Auburntown High School Special District shall consist of an Advisory Board of five members, the majority of whom shall constitute a quorum for the transaction of business. The first board to consist of five members namely: Tom Carter, (2) Earl McAdoo, (3) Oscar Moore, (4) W. B. Kennedy, and (5) J. T. Taylor.

All vacancies that may occur in said board shall be filled immediately by an appointment made by chairman of said board, provided that no one be chosen a member of said board who has not been a resident of said district, as above defined, for at least one year next preceding the anointment or election, and of the age of twenty-five years or more,(sic) The members of the school board shall serve as follows: (1) Tom Carter, (2) Earl McAdoo, (3) Oscar Moore, (4) W.B. Kennedy, (5) J. T. Taylor each shall serve two years, their successors to be elected by the qualified voters residing within said Auburntown High School at the regular August election 1926, and every two years thereafter, to serve two years.

Said board shall organize within thirty days after the passage of this act, by the election of a chairman and a secretary and a treasurer.

SECTION 3. That the members of the Advisory Board above named and those hereafter elected shall have the right to erect buildings, repair and improve school buildings, and other school property, purchase land, to pay off indebtness, or any future indebtness, and concurrently with the County Board of Education to employ teachers, and generally to do those things necessary to carry on the business of a modern school.

SECTION 4. That for the purpose of assisting in the support of the school or schools of said Special District and for the supplementing the regular school fund for said District so that the proper buildings and equipment and if necessary lengthening the term as a free public school or schools, there is hereby assessed for the year 1925, and for each succeeding year thereafter a tax of not to exceed at any time twenty-five cents on every hundred dollars worth of property, both real and personal, situated within said Auburntown High School Special District, and there is also assessed for said purposes, one dollar poll tax on all persons who are liable for State and County poll, between twenty-one and fifty years, residing within said district. The members of said Advisory Board shall have the power to fix rate of assessment, but not at any time to exceed one dollar poll and twenty-five cents tax on every one hundred dollars worth of personal and real property.

The basis for said taxes on said property shall be assessed values as shown by the books of the County

Trustee and all taxes assessed on real estate shall be a lien upon such real estate.

The taxes herein assessed shall become due and be collected at the same time and in the same manner as taxes under the general laws of the State of Tennessee by the County Trustee. The said taxes herein provided for shall be paid by the County Trustee to the Treasurer of said Advisory Board of Auburntown High School Special District, and the said Treasurer executing to the said trustee his receipt wherefor, which receipt shall be and constitute said Trustee's voucher for the sum or sums paid, and all said sums shall be and constitutes the supplementary fund of said Special School District which fund shall be under the control of said Advisory Board to be held, used, and paid out promptly for the use and benefit of the schools in said districts, the same to be paid out by the treasurer of said Advisory Board.

The tax assessor of Cannon County shall prepare a separate and complete list of all taxable property, real and personal, and poll within Special School District, for the use of County Trustee in collecting said taxes.

SECTION 5. That the powers and duties of said Advisory Board shall be as follows:

- (a) To perfect and organize as herein provided.
- (b) To serve without compensation.
- (c) To administer the funds arising from this Act.
- (d) To advise, counsel, and cooperate with the Board of Education of Cannon County, in the conduct of school in said District.
- (e) To adopt rules and fix terms by and with the consent of the Cannon County Board of Education, for the admission of students and pupils from the outside to the schools within the district.
- (f) To require the Treasurer to file with said Board a good solvent bond for all funds coming into his hands as treasurer of said Board.

SECTION 4. That no part of this Act shall be construed as in any way interfering with or abridging the powers of County Board of Education of Cannon County in the administration of the schools of said district but supplementary thereto only.

SECTION 5. That all laws in conflict with this Act be and are hereby repealed and that this act take effect from and after its passage, the public welfare requiring it.

Passed: April 4, 1925.

Superintendent or Director of Schools

Private Acts of 1929 Chapter 748

SECTION 1. That in all counties of this State having a population of not less than 10,238, or not more than 10,245, according to the Federal Census of 1920 or any subsequent Federal Census, the County Superintendent of Schools shall hereafter be elected by the qualified voters of said counties at the regular August election, in the same manner as other county officials.

SECTION 2. That the first election under this Act shall be at the August election next preceding the expiration of the term of the present incumbent, and subsequent elections every two years thereafter.

SECTION 3. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 8, 1929.

Education/Schools - Historical Notes

General Reference

The following acts constitute part of the administrative and political heritage of the educational structure of Cannon 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 1837-38, Chapter 96, established an academy in Woodbury in Cannon County which would be called Laurens Academy with all the incidental rights and privileges of other academies. James Taylor, James J. Trott, Joseph Ramsey, Eli A. Fisher, and Thomas C. Ward were named as Trustees of the Academy, and were granted all the power of that position plus the right to make

- regulations for the management, operation, and internal discipline of the school.
2. Acts of 1855-56, Chapter 118, Section 6, incorporated J. D. Alexander, Henry Goodloe, D. Hogwood, and A. McNight, as the "Trustees of the Philosophian Institute of the County of Cannon." The Institute may hold and transfer property, do other corporate acts, and make all rules and regulations necessary for the proper operation of the Institute.
 3. Acts of 1855-56, Chapter 237, Section 4, formed a common school district in Cannon and Rutherford Counties which would include the following families: C. D. Ivie, Simeon Hollis, W. J. Walkup, William Peak, Walter Peak, Peyton Shepherd, John Davison, William G. Brandon, H. L. Thompson, T. T. Peay, Mary Holmes, Martha Hollis, Dr. J. H. Dickens, Isaac McCullough, Charles Ready, J. C. Martin, Lewis Jetton, D. F. Weedon, John H. Wood, Dr. J. B. Armstrong, William Owen, and John Chappell. These families would have the right to elect a Commissioner jointly and enjoy all the rights and privileges generally granted to other school districts.
 4. Acts of 1903, Chapter 293, created a special school district in the Fourth Civil District of Cannon County describing the area involved with a metes and bounds description. A special election would be held on the second Saturday in May, 1903, to elect the school directors who would all serve with no compensation. The Clerk would furnish a statement of the number of pupils in the district to the County Superintendent of Schools. He would furnish the County Trustee with a copy so that the school funds could be pro rated.
 5. Acts of 1905, Chapter 190, created a special school district in the Third Civil District of Cannon County describing the area with a proper description. This Act called for an election to be held on the second Saturday in May, 1905, so as to elect the School Directors for the District. The Clerk would furnish a scholastic census to the County Superintendent who would forward a copy to the Trustee to pro rate the school funds.
 6. Acts of 1907, Chapter 43, created the "Readyville School District" out of portions of Cannon and Rutherford Counties, as described therein. The Act named for Dr. W. E. Yanree, Bill McBroom, and Josh Burton as Directors of the District who would serve without charge. The Clerk would send the scholastic count to the Superintendent who would advise the Trustee in order to pro rate the school funds. Anyone who was qualified to work in the County System would also be eligible to serve in the District. The school building shall be placed on the Porterfield and Milton Road, near New Hope Church, not over one-quarter of a mile from the Pike. This Act was repealed by Chapter 529, Private Acts of 1915.
 7. Acts of 1907, Chapter 79, formed a special school district in Cannon and Rutherford Counties to be called the "Porterfield School District." The District would include the Readyville School District and the following families: Mrs. M. A. Davis, Andy McKnight, Col. J. D. Vaught, William Thomas, Charlie Dement, William McElroy, Sam McElroy, Grooms, W. E. Hogwood, Dr. A. E. McKnight, Taylor Mingle, John Elrod, Sam Elrod, John Peyton, James Northcut, Ervin Ready, J. D. Northcut, J. E. K. Alexander, O. M. Alexander, Sambo Travis, J. A. Dement, and Bailey Paschal. The Act named Dr. F. Desmukes, Steve Jordan, and C. L. Duggin to be Directors until the next election. The other provisions were for the scholastic count and pro rata of funds.
 8. Acts of 1907, Chapter 176, changed the lines of the Special School District of the Third School District so as to detach the land of Wiley Willis from it and attach it to the 12th Civil District of Cannon County.
 9. Acts of 1907, Chapter 236, abolished the office of District Directors and created a Board of Education and District Board of Advisors in every County. The County Courts would divide the County into five districts, composed of whole Civil Districts, from each of which one member of the Board of Education would come as selected by the County Court to serve until the members could be elected by the people. The duties of the Chairman, selected by the other members, the Secretary, and the Board are all enumerated in the Act. A three member Advisory Board would be elected in each Civil District and their duties are stipulated in the Act. This Act did not apply to city schools nor to those counties exempting themselves in Section 17.
 10. Acts of 1907, Chapter 495, also created a "Readyville Special School District" describing it with a detailed description which bears a lot of similarity to the former one. Dr. W. E. Youree, Bill McBroom, and John Barton would serve as Directors of the District without pay.
 11. Private Acts of 1915, Chapter 529, expressly repealed Chapter 43, Private Acts of 1907, Item 6, above, which first created the Readyville School District.
 12. Private Acts of 1921, Chapter 317, created the Auburntown Special School District out of the 11th Civil District of Cannon county, except for Mrs. W. T. Mengle's farm, which included Auburntown. A five member Board of Trustees would be elected for the School District on the first Saturday in

August to serve two year terms. The Act named J. D. Odom, J. A. O'Neal, W. B. Kennedy, T. H. Summer, and C. S. Hawkins to serve on the Board without compensation until the scheduled election. The powers and duties of the Board were enumerated in the Bill. A special school tax of 25 cents per \$100 property evaluation and a \$1 poll tax on all males between the ages of 21 and 50 were allowed to be levied by the Quarterly Court, so that the school year would be extended to eight months which taxes would be collected as other taxes and paid to the school district by the Trustee. The District was authorized to provide primary and secondary schools, to employ qualified teachers and other personnel and to acquire and hold property through its Trustees. The Auburn District was further entitled to have one Representative on the County Board of Education. This Act was repealed by the one following.

13. Private Acts of 1923, Chapter 227, expressly repealed Chapter 317, Private Acts of 1921, Item 12, above, in its entirety.
14. Private Acts of 1929, Chapter 878, amended Chapter 115, Public Acts of 1925, Item 14, above, by inserting a new provision concerning the composition of the County Board of Education in Cannon County. The Board would consist of one member each from 15 Civil Districts, elected to six year terms by the people in the District. The present Board would consist of those now in office who were J. R. Caffy, O. B. Alexander, Claud Spurlock, Clark Barton, John Gilley, G. S. Smith, A. A. Tenpenny, Ray Paschal, Cal Curlee, Tom Parker, H. C. Mears, Shelah Wood, Earl McAdoo, Bob Parker, and Hall Markum. Staggered terms were provided for the future which seemed to elect five members every two years to six years terms. This Act was apparently superseded by the one published herein.
15. Private Acts of 1935, Chapter 445, provided that the Chairman of the Board of Education of Cannon County shall receive compensation, the amount of which shall be fixed by the Quarterly County Court and paid out of the school fund, but the said compensation shall not be less than \$300 nor more than \$500 per year.
16. Private Acts of 1937, Chapter 313, provided that all teachers in Cannon County who have taught school for 25 years out of the last 30 and who hold a Life Professional Elementary Teacher's Certificate given by the State of Tennessee for two year's college credit, be given a Life County Superintendent's Certificate.
17. Private Acts of 1939, Chapter 199, stated that in Cannon County no senior high school shall be established and maintained with fewer than 50 pupils in average daily attendance, but the County Board of Education is authorized and empowered to establish and maintain senior high schools where there are 50, or more, pupils in average daily attendance.

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