



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

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Education/Schools - Historical Notes

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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Board of Education

The following acts once affected the board of education in Carroll 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 1907, Chapter 236, abolished the office of District Director and created a five-member Board of Education and a fifteen-member District Board of Advisors for every county in the state, except those counties which were exempted from the act (Carroll County was not exempt). The county superintendent would be ex officio secretary to the board. The board members would be paid no less than \$1.50 and no more than \$3 for each day devoted to their duty.
2. Private Acts of 1949, Chapter 169, established a County Board of School Commissioners in Carroll County, to have exclusive supervision and control of all public schools in the county except schools located within special school districts. The county was divided into nine school districts, with each district electing one School Commissioner from its district. Until the first election by qualified voters, the act named A. T. Taylor, George Belew, Bailey Wrinkle, Bernice Booth, Elmer Wilson, Dr. R. B. Wilson, Ade Harder, Clifford Meals and W. E. Brower as members of the Board of School Commissioners. This act withstood constitutional challenge in Taylor v. Taylor, 222 S.W.2d 372 (Tenn. 1949). This act was repealed by Private Acts of 1951, Chapter 2.

Special School Districts - Hollow Rock-Bruceton

The following acts once affected the Hollow Rock-Bruceton Special School District, but appear to have no current effect. They are listed below for historical reference.

1. Private Acts of 1920 (Ex. Sess.), Chapter 97, created the Hollow Rock Special School District out of part of the 16th Civil District of Carroll County, including the town of Hollow Rock. The Board of Directors for the school district would consist of seven members, with the first board being C. N. McMackin, J. P. Cooper, F. A. Penick, L. A. DePriest, B. F. Thompson, W. T. Taylor and O. A. Cowthan. The act set out the powers and duties of the board. Members of the board were to elect a President, Secretary and Treasurer. The act provided for a tax levy in the amount of 40¢ on every \$100 of taxable property in the special district to support and maintain the schools. Although this act has not been specifically repealed, the area including the town of Hollow Rock is now a part of the Hollow Rock-Bruceton Special School District.
2. Private Acts of 1921, Chapter 184, amended Public Acts of 1920 (Ex. Sess.), Chapter 22, a general tax act which reduced tax rates proportionally with new assessments, to exempt Hollow Rock Special School District from the act.
3. Private Acts of 1925, Chapter 340, amended Private Acts of 1920 (Ex. Sess.), Chapter 97, to change the boundary lines for Hollow Rock Special School District. This act was repealed by Private Acts of 1927, Chapter 315.

Special School Districts - Huntingdon

The following are summaries of private acts which once affected Huntingdon Special School District. These acts are included herein for historical reference.

1. Private Acts of 1921, Chapter 184, amended Public Acts of 1920 (Ex. Sess.), Chapter 22, a general tax act which reduced tax rates proportionally with new assessments, to exempt Huntingdon Special School District from the act.
2. Private Acts of 1981, Chapter 166, would have expanded the boundaries of the Huntingdon Special School District, but the act did not receive local approval and failed to become effective law.

Special School Districts - McKenzie High School

The following private acts once affected McKenzie High School District, and are included herein for historical reference.

1. Private Acts of 1921, Chapter 184, amended Public Acts of 1920 (Ex. Sess.), Chapter 22, a general tax act which reduced tax rates proportionally with new assessments, to exempt McKenzie High School District from the provisions of the act.
2. Private Acts of 1959, Chapter 201, authorized a two year tax levy of 15¢ on every \$100 of taxable property in the McKenzie High School District, to enable the school board to have sufficient funds for the payment of teacher salaries in the 1959-60 and 1960-61 school years.

Special School Districts - Trezevant

1. Private Acts of 1915, Chapter 667, created the Trezevant Special School District out of part of the 2nd civil district in Carroll County. The board of directors for the school district consisted of five members. The first board members were B. H. Hillsman, Elmer T. Sparks, John G. Holmes, W. J. Hurdle and C. J. Wingo. The act set out the powers and duties of the board. The act authorized a tax levy of 40¢ on every \$100 of taxable property in the school district, and \$1 poll tax, for the purpose of supporting and maintaining the schools. This act withstood constitutional challenge in Quinn v. Hester, 186 S.W. 459 (Tenn. 1919).
2. Private Acts of 1919, Chapter 634, amended Private Acts of 1915, Chapter 667, to authorize the board of directors of the Trezevant Special School District to adopt any rules necessary for the maintenance and conduct of the school, and to provide for payment of reasonable incidental fees by high school students for the maintenance of the school, provided that the sum did not exceed \$5 per high school student during each three-month term.
3. Private Acts of 1921, Chapter 184, amended Public Acts of 1920 (Ex. Sess.), Chapter 22, a general tax act which reduced tax rates proportionally with new assessments, to exempt Trezevant Special School District from the act.
4. Private Acts of 1921, Chapter 956, amended Private Acts of 1915, Chapter 667, to lower the property tax rate in Trezevant Special School District to 25¢.
5. Private Acts of 1923, Chapter 439, amended Private Acts of 1915, Chapter 667, to increase the number of board members to six, and to provide for staggered terms.
6. Private Acts of 1945, Chapter 68, validated \$66,000 refunding bonds of Trezevant Special School District and levied a tax of 90¢ per \$100 property valuation to pay the principal and interest on the bonds.
7. Private Acts of 1945, Chapter 99, amended Private Acts of 1915, Chapter 667, to increase the property tax rate in the Trezevant Special School District to 50¢. This act repealed Private Acts of 1921, Chapter 956.
8. Private Acts of 1961, Chapter 347, amended Private Acts of 1951, Chapter 695, to repeal the provision that no property taxes would be imposed in any year that the amount in the special fund for paying the bonds exceeded \$8,000.
9. Private Acts of 1961, Chapter 393, authorized Trezevant Special School District to issue up to \$35,000 funding bonds, bearing interest not exceeding 5% per annum and maturing within 20 years, to provide funds for payment of its operating deficit. A property tax of 50¢ on every \$100 of taxable property was levied to pay the principal and interest on the bonds. The bond issuance was subject to voter approval.
10. Private Acts of 1973, Chapter 90, amended Private Acts of 1915, Chapter 667, as amended, to enlarge Trezevant Special School District to include the 2nd, 3rd and 19th civil districts of Carroll County.
11. Private Acts of 1973, Chapter 91, amended Private Acts of 1915, Chapter 667, as amended, to authorize Trezevant Special School District, by resolution of its board of directors, to borrow up to \$15,000 for up to a five-year term at a maximum annual interest rate of 6%, for capital improvements.
12. Private Acts of 1975, Chapter 180, amended Private Acts of 1915, Chapter 667, as amended, to authorize the board of directors for Trezevant Special School District to set the school tax rate lower than the rate set by private act, but the rate could not be set in excess of any statutory levy. Special levies assessed for the purpose of bond repayment could not be lowered.
13. Private Acts of 1981, Chapter 109 (reproduced hereinabove), created West Carroll Special School District. The new school district included Atwood Special School District and Trezevant Special School District and provided for the suspension of their operations upon formation of the new school district, with the proviso that taxes imposed to repay the outstanding indebtedness of each pre-existing special school district would remain in effect until all debts had been paid.
14. Private Acts of 1981, Chapter 144, amended Private Acts of 1915, Chapter 667, as amended, to increase the tax rate in the Trezevant Special School District to \$2.60 on every \$100 of taxable property in the district.

Special School Districts - Whitthorne

1. Private Acts of 1929, Chapter 844, created a special school district out of a portion of the 20th civil district of Carroll County. The schools in the district were to be under the management and control of the County Board of Education. A tax was levied for the years 1929, 1930, 1931 and 1932, in the amount of 60¢ on every \$100 of taxable property in the district, and \$1 poll tax, to

support and maintain the schools in the district. The County Board of Education was authorized to borrow up to \$6,000 to build an elementary school building at Whitthorne, to be paid out of the school tax levied under the act.

2. Private Acts of 1933, Chapter 594, amended Private Acts of 1929, Chapter 844, to change the boundaries of the special school district and place the management of the school district under a five-member board of directors to be popularly elected. The first directors were E. S. Browning, Boyd Little, Omer Douglas, C. C. Arington and W. T. Little. At least two teachers were required in any school with 40 or more pupils. The act also lowered the property tax rate to 40¢, with 15¢ of the tax to be used as a sinking fund to pay the debts of the district and 25¢ to be used for operating the schools. It is curious that this act did not amend the provisions of the 1929 act which imposed the tax only through 1932.
3. Private Acts of 1941, Chapter 526, amended Private Acts of 1929, Chapter 844, and Private Acts of 1933, Chapter 594, to change the boundary of the district to include a portion of the 20th and all of the 6th civil district; to name Bryan Robinson, Clyde Stanford, H. W. Dawson, W. W. Holmes, and A. S. Richardson as directors; to raise the property tax rate from 40¢ to 70¢ and to strike the provision designating the use of the tax proceeds; and to provide for the relocation of the Whitthorne School after the building was sold to the federal government. This act also failed to amend the provisions of the 1929 act which imposed the tax only through 1932. For a discussion of the transfer of the school property to the federal government, see Carroll County Board of Education v. Caldwell, 162 S.W.2d 391 (Tenn. 1942).
4. Private Acts of 1943, Chapter 96, repealed Private Acts of 1929, Chapter 844, and Private Acts of 1933, Chapter 594, to abolish the Whitthorne Special School District. All assets of the district were to be transferred to the Carroll County Board of Education.

Special School Districts - Yuma

1. Private Acts of 1921, Chapter 27, created Yuma Special School District out of the 13th and 14th civil districts in Carroll County. The board of directors was to consist of five members, each to be popularly elected to a term of two years. The first board members were J. A. Darnell, G. A. Thomason, A. B. Wood, I. J. Belein, J. C. Taylor, C. H. Hester and J. A. Gooch. It is not clear why there were seven members on the five-member board. The powers and duties of the board were specified. A tax was levied in the amount of 15¢ on every \$100 of taxable property in the district, and \$1 poll tax, for the purpose of supporting and maintaining the schools in the district.
2. Private Acts of 1925, Chapter 399, amended Private Acts of 1921, Chapter 27, to place Yuma Special School District under the control of the County Board of Education, and to increase the property tax rate in the district from 15¢ to 50¢ with half the proceeds to be used to pay the outstanding indebtedness of the district.
3. Private Acts of 1935, Chapter 568, amended Private Acts of 1925, Chapter 399, to lower the property tax rate to 25¢ in the Yuma Special School District.
4. Private Acts of 1935 (Ex. Sess.), Chapter 30, amended Private Acts of 1921, Chapter 27, to repeal the special poll tax of \$1 in the Yuma Special School District.
5. Private Acts of 1941, Chapter 302, repealed Private Acts of 1937, Chapter 172, to discontinue the tax because all necessary funds had been raised.

Superintendent or Director of Schools

The acts referenced below once affected the office of superintendent of education in Carroll 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 1923, Chapter 136, provided that the Superintendent of Public Instruction would be elected to a two-year term by the qualified voters in Carroll County. This act was repealed by Private Acts of 1927, Chapter 440.
2. Private acts of 1933, Chapter 115, provided that in all counties of the state having a population of not less than 26,100, nor more than 26,150 inhabitants according to the 1930 Federal Census, the county superintendent of public instruction would be elected by the qualified voters of said counties for a term of four years. In the event of a vacancy in office, it would be the duty of the election commission to call a special election to fill the vacancy at said special election.
3. Private Acts of 1951, Chapter 214, although indexed in some publications as applying to Carroll County, applies to counties having a population of "not less than 26,505 nor more than 26,515" according to the 1950 census. The 1950 population of Carroll County was 26,553. No Tennessee county had a 1950 population which fell within the population bracket given in the act. The act provided that vacancies in the office of school superintendent would be filled by the quarterly

county court until the next regular election.

General Reference

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

1. Acts of 1837-38, Chapter 80, established Mt. Pleasant Academy in Carroll County. The first Board of Trustees for the Academy were Pleasant Atkison, Levi S. Woods, Thomas Black, John Woods, James W. Drake and Alexander M. Caldwell. The powers and duties of the trustees were set out in the act.
2. Acts of 1851-52, Chapter 14, authorized the State Comptroller of the Treasury to issue a replacement warrant to Chira Wilder, Carroll County Trustee, for Carroll County's distributive share of school funds for 1851, which amount was \$1,933.52. The original warrant had been lost.
3. Private Acts of 1933, Chapter 174, provided that for special school districts with an assessed valuation of more than \$650,000, the County Trustee for Carroll County was to apportion the state and county high school funds among the special school districts based upon the total daily attendance in the high schools each year.
4. Private Acts of 1933, Chapter 619, regulated the payment of school warrants and the use of state school funds in Carroll County due to the pronounced financial depression. The Trustee was required to keep all state school funds in a separate account and to use that money only for payment of school warrants issued between January 1, 1933 and January 1, 1935. After January 1, 1935, any funds remaining in the account could be used to pay warrants issued prior to January 1, 1933.
5. Private Acts of 1935, Chapter 754, set the poll tax rate in Carroll County at \$1 and prohibited any additional poll tax except those levied under special acts pertaining to school districts. The intent of the act was to prevent the imposition of the additional \$1 poll tax which was levied under general law for school purposes, since the special school districts in Carroll County were collecting poll taxes for schools.
6. Private Acts of 1951, Chapter 290, created the office of County Supervisor of Maintenance of Educational Properties in Carroll County, to be elected by qualified voters to serve a two year term. The Supervisor's duties included supervision of the maintenance, repair and housing of all equipment used for the transportation of children to and from school. The Supervisor was given purchasing authority up to \$100. The Supervisor's compensation was \$275 per month. Joe Bryant was named to serve as Supervisor until the next election. Before assuming the duties of the office, the Supervisor was required to execute a \$5,000 bond. This act is in conflict with the general law found at T.C.A. § 49-2-203(a)(3), which provides that all personnel necessary to care for school property will be employed by the school board and the school board is responsible for fixing their salaries.

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