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# Private Acts of 1981 Chapter 109

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Sincerely,

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# Private Acts of 1981 Chapter 109

**SECTION 1.** A special school district is hereby created and established, covering and including the 1st, 2nd, 3rd, 5th, 20th, and 21st and parts of the 6th, 7th, 8th, and 19th Civil Districts of Carroll County, Tennessee, to be known as "West Carroll Special School District", with boundaries as follows:

Beginning at a point on the north Carroll County line and the south Weakley County line [sic] is intersected by the 3rd Civil District line thence south along the McKenzie Special School District boundary line to a point where it would join the Huntingdon Special School District boundary line to a point where it intersects with the South Carroll County Special School District boundary line to a point where it intersects the Henderson County line thence west with the Henderson-Carroll County line to a point at the Madison-Carroll County line continuing west to the Madison, Gibson, and Carroll County boundary line thence north with the Gibson County and Carroll County line to the Gibson, Weakley, and Carroll County boundary line thence running with the Weakley County-Carroll County line to the point of origin.

## **SECTION 2.**

(a) The West Carroll Special School District shall be governed by a board of education of six (6) members, a majority of whom shall constitute a quorum for the transaction of business. The members of the board shall be elected from the three (3) districts or areas which joined to form the West Carroll Special School District. Each such district or area shall be represented by two (2) members who shall be residents of the district. The qualified voters residing in each district shall elect the members representing that district. Members shall be elected to staggered four (4) year terms, except as provided elsewhere in this section. Members shall be elected at the Regular August Election, and shall take office on September 1st following their election.

(b) The members appointed by the original Section 2 of Chapter 109 of the Private Acts of 1981, to two (2) year terms shall continue to hold office until members are elected under the provisions of subsection (c) of this Act, notwithstanding the original expiration date of their terms. The members appointed by the original Section 2 of Chapter 109 of the Private Acts of 1981, to four (4) year terms shall hold office as provided in subsection (c) of this Act. All actions taken by the board between the expiration of two (2) year terms provided for in the original Section 2 of Chapter 109 of the Private Acts of 1981, and the time the persons elected at the special election provided for by this Act take office are hereby confirmed and validated, and the board during that time shall have full and complete authority.

(c) Within sixty (60) days of the expiration of the original two (2) year terms set out in the Act, the board shall request the Carroll County Election Commission to call a special election. Notwithstanding contrary provisions of this Act, members elected at this special election in 1983, shall take office upon election, and shall hold office until September 1, 1986. Their successors shall be elected to full four (4) year terms at the Regular August Election in 1986, and serve until September 1, 1990. Thereafter, their successors shall be elected and serve in accordance with subsection (a).

Notwithstanding the provisions of the original Section 2 of Chapter 109 of the Private Acts of 1981, the four (4) year terms set out therein shall expire on September 1, 1984. The successors to these positions shall be elected at the Regular August Election, 1984, take office September 1, 1984, and serve until September 1, 1988. Thereafter, their successors shall be elected and serve as provided in subsection (a).

(d) In the event of a vacancy on the board, the remaining members of the board shall fill the vacancy by appointment. Such appointee shall hold office until the next Regular Election, at which election a person shall be elected to fill the unexpired portion, if any, of the term. When a vacancy is filled, the member appointed shall be a resident of the area designated in this Act wherein his predecessor resided.

As amended by: Private Acts of 1983, Chapter 146

**SECTION 3.** The members of the Board of Education shall within thirty (30) days after the effective date of this Act, meet at some convenient place in the district, qualify by taking and subscribing to the oath required by law in such cases and organize by electing a chairman, a vice-chairman, a secretary, and a treasurer, all of whom shall be members of the board and upon such organization being perfected the board shall prove [sic] to make all necessary and proper arrangements for the operation of the district and for the management and control of the schools of the district under the powers herein given.

## **SECTION 4.**

(a) The members of the Board of Education shall serve without compensation.

(b) The treasurer of the board shall enter into bond with proper conditions, sufficient to cover the school funds belonging to the West Carroll Special School District which may be received, the amount of penalty of which bond shall be determined by the Board of Education and the bond shall be payable to the state of Tennessee for the use and benefit of the West Carroll Special School District and such bond shall be

approved by and filed with the chairman of the Board of Education; the premium on the bond to be paid as an expense of the district.

(c) The secretary of the board shall keep a true and correct record of all meetings and business transactions of the board and shall perform such other duties as may be required from time to time by the board. The treasurer of the board shall keep a true and correct account of all monies received and disbursed and shall perform such other duties as may from time to time be required by the board.

(d) All necessary books, blank forms, and stationery for the proper keeping of records by the secretary and by the treasurer shall be provided by the board and paid as an expense incident to the management, control, and maintenance of the schools and all books, records, and other papers in connection with the administration of the schools shall be carefully preserved by the respective officers keeping same, and upon the expiration of their terms of office shall be delivered to their successors.

**SECTION 5.** The board of education, a majority of which shall at all time constitute a quorum for the transaction of business, shall have all the powers usually incident to and belonging to boards of education of municipal corporations and shall have full powers as directors or trustees to manage the schools of the district. The board of education shall make or cause to be made, and properly verified and certified, all necessary and proper reports of scholastic population, average daily attendance and other statistical data with reference to the schools of said district to the county trustee, the county superintendent of public instruction, and the state commissioner of education, all as required by and in accordance with the general laws of the state governing the management and control of the public schools of the state. The board of education shall prescribe all reasonable and necessary rules and regulations for the management, governance, and control of such schools and shall employ such superintendents, teachers and assistant teachers as may be necessary in their conduct and management.

**SECTION 6.** The county Trustee [sic] of Carroll County from and after July 1, 1981, shall apportion to the West Carroll Special School District for the operation and maintenance of the schools herein provided for, the pro rata share of all school funds in his hands to which the West Carroll Special School District is entitled, which apportionment as between the West Carroll Special School District and the remainder of Carroll County shall be made according to the provisions of the state school law, and this apportionment shall apply not only to the pro rata share of any and all school taxes assessed and collected locally by Carroll County under the general law, but also the pro rata share of the special school district in the state school funds paid over to the county trustee by the state, pursuant to law.

**SECTION 7.** For the purpose of operating and maintaining the schools of the special school district and for the purpose of supplementing the funds as now provided by law and available for the benefit of the inhabitants of the district, there is hereby levied and assessed for the year 1981 and each subsequent year thereafter a separate tax of one dollar seventy-five cents (\$1.75) on each one hundred dollars (\$100.00) of taxable property situated within the boundaries of the district as defined in Section 1 of this Act. The taxes levied by this section shall become due under the general laws of the state and collected by the county Trustee [sic] of Carroll County, and the special taxes hereby provided for, together with all school funds received from the county Trustee [sic], shall constitute the school fund for the Special School District, which school fund shall from time to time as collections and apportionments are made, be paid to the Treasurer of the Board of Education of the Special School District or as the District Board of Education may direct, by the county Trustee [sic] upon warrants signed by the chairman, or vice-chairman, and secretary [sic] of the Board of Education, and shall be under the control of the board for the use and benefits [sic] of the district and for the operation and maintenance of the schools herein provided and for no other purpose. No part of such school funds shall be paid out by the Treasurer of the district, or otherwise, except upon and by order of the board upon warrant properly drawn and signed by its chairman and secretary. A separate tax list and assessment roll for that part of Carroll County lying within the boundaries of the school district, as defined in Section 1 of this Act, shall be used by the county Trustee [sic] in making collections and such taxes.

In addition to any other tax applicable to property in the West Carroll County [sic] Special School District there is levied a property tax sufficient to reflect the percent of changes in the average consumer price index (all items city average) as published by the United States department of labor, bureau of labor statistics, between the figures for the calendar year 1986 and the calendar year 1983. In addition to any other tax applicable to property in the West Carroll County [sic] Special [sic] District there is levied a property tax sufficient to compensate for any decrease in revenues from 1986 levels to the school district due to a use valuation of property in the district in 1987 pursuant to Tennessee Code Annotated, Title 67, Chapter 5, Part 10, and due to any reduction in revenues allocated to the school district by Carroll County in 1987. The taxes imposed by this paragraph shall provide the same ad valorem revenue for such special school district as was levied in 1986 plus an additional amount to reflect the change in the consumer price index between 1986 and 1983.

The board of education of the West Carroll County [sic] Special School District shall have the authority to set the tax rate lower than that imposed by this Act as amended or any other act, setting a tax rate for the West Carroll County [sic] Special School District, but shall not have the power to impose a tax in excess of any statutory levy nor shall it have the power to lower any special levy assessed for the purpose of bond repayment. In order to change the rate of taxation, the board must certify on or before September 1 to the county trustee the new special school district tax rate not to exceed the rate imposed by any legislative act, and the county trustee shall collect only the taxes based on the rates so certified.

As amended by: Private Acts of 1987, Chapter 94,  
Private Acts of 2002, Chapter 143.

**SECTION 8.** [DELETED by Private Acts of 1982, Chapter 229].

**SECTION 9.** The West Carroll Special School District Board of Education as herein established and constituted shall maintain a school at all of the existing school sites for a period of at least two (2) years. After such period of time the board will operate the schools in the district in the same manner as provided in the public school laws of the state of Tennessee.

**SECTION 10.** The Atwood Special School District and the Trezevant Special School District shall continue to be responsible for all outstanding obligations as previously created by the respective special school districts.

**COMPILER'S NOTE:** According to the State Comptroller's Office, County Audit Division, Atwood had outstanding debt of \$83,000 and Trezevant had \$7,000 outstanding debt as of June 1991.

**SECTION 11.** [DELETED by Private Acts of 1982, Chapter 229].

**SECTION 12.** The operation of any pre-existing special school district within the boundaries described in Section 1 shall be suspended upon the formation of the West Carroll Special School District, but any obligations, including bonded indebtedness, incurred by any such pre-existing special school district shall remain in full force and effect and any tax imposed to secure the payment of any debt shall be continued unless payment of the debt is assumed by the new district and a pledge of revenues made sufficient to secure payment of the principal and interest on any outstanding obligation.

As amended by: Private Acts of 1982, Chapter 229

**SECTION 13.** Any buildings that are constructed or renovated for the use by students of the entire district will be located as near the center of student population as possible.

**SECTION 14.** In the event that any section in this Act [sic] declared to be invalid or unconstitutional by the courts, the same shall be elided, and the General Assembly declares that the other sections of this Act would have been enacted irrespective of the validity of this [sic] section.

**SECTION 15.** This Act shall take effect upon becoming a law, the public welfare requiring it.

As amended by: Private Acts of 1982, Chapter 229

Passed: May 6, 1981.

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