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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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Chapter VI - Education/Schools

Board of Education

Private Acts of 1982 Chapter 268

SECTION 1. Chapter 66 of the Private Acts of 1951 is hereby repealed in its entirety.

SECTION 2. The members constituting the Chester County Board of Education on the effective date of this act shall remain as the legally constituted Board of Education for Chester County and each member of said Board shall hold office until his or her particular term of office expires.

SECTION 3. Chester County, Tennessee is hereby divided into six (6) school districts which shall have boundaries identical to the boundaries of the county commissioner districts in said county so long as Chester County has six (6) county commissioner districts. In the event Chester County has county commissioner districts established according to law in some number other than six, then the Board of County Commissioners shall by resolution establish the boundaries of the six school districts of Chester County.

SECTION 4. One member of the Chester County Board of Education shall be elected from each of the six school districts established by this Act.

One member of said Board shall be elected at large by the voters of Chester County.

In the August 1982 General Election and every four (4) years thereafter, the voters in school districts 1 and 6 shall elect members to serve on the Chester County Board of Education.

In the August 1984 General Election and every four (4) years thereafter, the voters of school districts 2, 3, 4, and 5 shall elect members to serve on the Chester County Board of Education.

In the August 1984 General Election and every four (4) year thereafter, the voters of Chester County shall elect a member at large to serve on the Chester County Board of Education.

Each member of the Board of Education elected pursuant to this act shall reside in the district he or she represents.

SECTION 5. Members elected in the August 1982 General Election or subsequent general elections shall hold office for a term of four (4) years commencing September 1 of the year of their election and until their successors are elected and qualified.

SECTION 6. The Chester County Election Commission shall certify the election of each member to the Chester County Board of Education in the same manner as other county officers are certified.

SECTION 7. The individuals elected pursuant to this act shall meet on September 1 of the year of their election or as soon thereafter as is practicable and shall take an oath of office administered by someone empowered to administer such oaths.

SECTION 8. The compensation, powers, duties and liabilities of members of the Chester County Board of Education shall be as prescribed by general law.

SECTION 9. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provisions or application, and to that end the provisions of this Act are declared to be severable.

SECTION 10. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Board of County Commissioners of Chester County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Board of County Commissioners and certified by him to the Secretary of State.

SECTION 11. For the purpose of approving or rejecting this Act, it shall become effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 10.

Passed: March 11, 1982.

Education/Schools - Historical Notes

Board of Education

The following acts once affected the board of education in Chester 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, abolished the office of District Director and provided for schools to be under the management and control of a County Board of Education and a District Board of Advisors. The Act provided for the respective County Court to divide the county into five (5) school districts, composed of whole civil districts, from each of which school district, one (1) member of the Board of Education would be elected. The County Superintendent would be Secretary of the County Board of Education. The qualifications, terms, duties, responsibilities, compensation and authority, where applicable, for the Chairman of the County Board of Education and the Secretary of the County Board of Education were specified in the Act. The duties of the Advisory Board, composed of three (3) members from each civil district and elected by the people of said civil district were enumerated in the Act. See Whitthorne v. Turner, 155 Tenn. 303, 293 S.W. 147 (1927).
2. Public Acts of 1915, Chapter 113, amended Acts of 1907, Chapter 236, and made the 1907 Act inapplicable to counties, such as Chester County, that had a population of no less than 9,075 and no more than 9,100, according to the Census of 1910.
3. Private Acts of 1917, Chapter 150, repealed Public Acts of 1915, Chapter 113, so as to reapply Acts of 1907, Chapter 236, to Chester County. Acts of 1907, Chapter 236, abolished the Office of District Director and placed control of schools under a County Board of Education and District Advisory Board.
4. Private Acts of 1939, Chapter 437, authorized the County Board of Election Commissioners to call an election for the purpose of determining the will of the qualified voters of Chester County relative to the election of the County Board of Education by popular vote.
5. Private Acts of 1949, Chapter 276, created a County Board of Education for Chester County to be composed of ten (10) members. Three (3) members would be chosen from each of the three (3) school districts and one (1) member would be chosen from the school district in which the county seat was located.
6. Private Acts of 1951, Chapter 66, created three (3) school districts in Chester County. The qualified voters in each school district would elect two (2) members to the County Board of Education. The Act stated that the compensation, powers, duties and liabilities of the board members would be identical with those provided for members of the County Board of Education under the general law. This act was repealed in its entirety by Private Acts of 1982, Chapter 268.

Superintendent or Director of Schools

The acts referenced below once affected the office of superintendent of education in Chester County, but are no longer operative.

1. Private Acts of 1937, Chapter 597, empowered the Quarterly County Court of Chester County to elect a County Superintendent of Public Instruction at its April term, beginning in 1939, for a term of four (4) years. The appointee would possess the same qualifications and discharge the same duties required of Superintendents of Public Instruction under the state general law.
2. Private Acts of 1939, Chapter 437, authorized the County Board of Election Commissioners to call an election for the purpose of determining the will of the qualified voters of Chester County relative to the election of a Superintendent of Education by popular vote.
3. Private Acts of 1941, Chapter 196, empowered the Quarterly County Court of Chester County to elect a County Superintendent of Public Instruction at its April term, beginning in 1943, for a term of two (2) years. The appointee would possess the same qualifications and discharge the same duties required of superintendents of Public Instruction under the state general law. The intent of the Act was to fix the term of the office of County Superintendent of Public Instruction at two (2) rather than four (4) years.
4. Private Acts of 1951, Chapter 67, relative to the election of the county superintendent of education in Chester County. This act was repealed by Private Acts of 2002, Chapter 127.

General Reference

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

1. Acts of 1909, Chapter 457, created the Irene Special School District in Chester County. Six (6) individuals were appointed as School Directors for said school district, to hold office until their successors were elected in the next general election. The Act empowered the School Directors of the Irene Special School District to levy a tax for school purposes in an amount not to exceed fifty (50¢) cents on each one hundred (\$100) dollars worth of taxable property in the school district

upon the approval of the majority of the qualified voters in the school district.

2. Private Acts of 1925, Chapter 783, established a school district from parts of Hardin, Chester and McNairy Counties and set out the boundaries for same. Each County Board of Education for each of the respective counties was required to contribute nine hundred (\$900) dollars each for the erection of a school building for said school district, as well as, supply the necessary funds for the employment of teachers and other expenses of operation in proportion to the average daily attendance of the pupils from each county. The County Boards of Education of each of the three (3) counties were empowered jointly, to manage, control and supervise the school district.

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