



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

July 22, 2024

Board of Education

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

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

Board of Education	3
Private Acts of 1961 Chapter 326	3
Private Acts of 1980 Chapter 249	4

Board of Education

Private Acts of 1961 Chapter 326

SECTION 1. That in counties having a population of not less than 19,000 nor more than 19,100, the election of the members of the County Board of Education shall be by the qualified voters of said counties as the terms of the present members of the Board of Education in said counties expire as hereinafter provided.

SECTION 2. That the county is by this Act divided into seven school districts. The First Civil District in said county shall be the First School District; the Second and Third Civil Districts shall be the Second School District; the Fourth Civil District shall be the Third School District; the Fifth Civil District shall be the Fourth School District; the Sixth Civil District shall be the Fifth School District; the Seventh and Tenth Civil Districts shall be the Sixth School District; and the Eighth and Ninth Civil Districts shall be the Seventh School District.

Chapter 96, Private Acts of 1953, is hereby repealed and no vacancy shall exist because of the expiration of the terms of the two Board members whose positions were created by said Private Act when the terms of said Board members expire April 1, 1961. Provided, however, if these two positions are filled again before this Act can be approved as provided for in Section 5 below these two positions shall become non-existent as of April 1, 1963. The transition from the Board as it now exists except for the Private Act mentioned above to the new Board provided for by this Act, shall be effected as hereinafter prescribed.

The first Board member from these new districts shall be elected by the qualified voters of the entire county at the regular August election 1962 from the Second School District created by this Act, who shall take office September 1, 1962, following the election for a period of four years. To fill the vacancy resulting from the expiration of the term of the position on the School Board ending July 1, 1961, the County Courts of such counties shall appoint a Board member to serve until September 1, 1962. There shall also be elected by the qualified voters of the entire county at the regular election August 1962 a Board member from the Third School District created by this Act whose term of office shall begin September 1, following the election for a period of four years.

A school board member shall be elected by the qualified voters of the entire county from the Fourth School District created by this Act at the regular August election 1964, whose term of office shall be for a period of four years beginning September 1 following the election. To fill the vacancy created by the expiration of the term ending July 1, 1963, the County Courts of said counties shall appoint a member from the Fourth School District to serve until September 1, 1964. There shall also be elected by the qualified voters of the entire county at the regular election August 1964 a Board member from the Sixth School District created by this Act, whose term of office shall be for a period of four years beginning September 1, 1964.

A Board member shall be elected from the Fifth School District created by this Act by the qualified voters of the entire county at the regular August election 1966, whose term of office shall be for a period of four years beginning September 1, 1966. To fill the vacancy in the position created by the expiration of the term July 1, 1965, there shall be appointed by the County Courts a Board member from the Fifth School District to serve until September 1, 1966. There shall also be elected by the qualified voters of the entire county at the regular August election 1966, a Board member from the Seventh School District created [sic] by this Act whose term of office shall be for a period of four years beginning September 1, 1966.

There shall be created from the First School District created by this Act by the qualified voters of the entire county at the regular August election 1968, a Board member whose term of office shall be for a period of four years beginning September 1, 1968. To fill the vacancy created by the expiration of the term ending July 1, 1967, the County Courts shall appoint a Board member from the First School District to serve until September 1, 1968.

The terms of all Board members after the term provided for in this Act shall be for a term of four years, and all incumbents shall remain in office during the transition period and thereafter until their successors are elected and qualified.

SECTION 3. That the powers, duties, qualifications, and mode of procedure of the County Board of Education of such counties, shall be the same as those provided for a County Board of Education under the General Education Laws of the State of Tennessee, not inconsistent with the provisions of this Act.

SECTION 4. That it is the intent of the General Assembly of the State of Tennessee to provide a County Board of Education for such counties elected by the qualified voters composed of seven (7) members having four year terms, by the County Board of Education membership may, during the period of

transition from the former system of election, exceed for a time a membership of seven (7). In addition, it is the intent of the General Assembly of the State of Tennessee that this Act and all legislative Acts relating to County Boards of Education be construed in Pari Materia for the purpose of obtaining these objectives.

SECTION 5. That this Act shall be of no force and effect until the same shall be approved in an election by a majority of those voting in said election in counties affected within sixty (60) days after the same shall have been signed by the Governor of Tennessee. Ballots used in such election shall have printed thereon the caption, title, or substance of this Act together with the words

FOR ADOPTION

AGAINST ADOPTION

and voters shall vote for or against adoption. The said election is declared to be for a county governmental purpose and the counties shall expend from their general funds the monies necessary to conduct the election. The votes cast shall be canvassed by the County Board of Election Commissioners upon the first Monday occurring five or more days next after the date of such election and the result shall be proclaimed by such Board and certified to the Secretary of State.

SECTION 6. That this Act shall become effective from and after its passage, the public welfare requiring it.

Passed: March 15, 1961.

Private Acts of 1980 Chapter 249

SECTION 1. As the terms of the incumbent members of the Claiborne County Board of Education, created by Chapter 326 of the Private Acts of 1961, expire or as a vacancy occurs on the board, members of the board from such districts shall be elected by the qualified voters of the school district in which such term expires or such vacancy occurs. Each member of such board shall be a resident of the school district from which he is elected. If any member ceases to reside in the school district from which such member is elected, the office of such member shall become vacant.

SECTION 2. No provision of this Act shall be construed as having the effect of removing any incumbent from office or abridging the term of any official prior to the end of the term for which he was elected.

SECTION 3. This Act shall have no effect unless it is approved by a majority of the number of qualified voters of the county voting in an election on the question of whether or not the act should be approved. The ballots used in the regular election to be held on August 7, 1980, shall have printed on them the caption of this Act and the voters shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the County Election Commissioners and certified by them to the Secretary of State, as provided by law in the case of General Elections. The qualifications of voters voting on the question shall be the same as those required for participation in General Elections. All laws applicable to General Elections shall apply to the determination of the approval or rejection of this Act. The cost of the election shall be paid by Claiborne County.

SECTION 4. For the purpose of approving or rejecting the provisions of this Act, as provided in Section 3, it shall be effective upon becoming a law, but for all other purposes the provisions of the Act shall be effective only upon being approved as provided in Section 3.

PASSED: March 24, 1980.

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