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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 1949 Chapter 776

SECTION 1. That in all counties of this State having a population of not less than 15,585 nor more than 15,615 according to the Federal Census of 1940, or any subsequent Federal Census, the County Board of Education shall be elected by the qualified voters of the County at the regular biennial election in August, 1950, and each regular biennial election thereafter, and take office September 1, following their election, and shall serve for a term of two years and until their successors are duly elected and qualified.

SECTION 2. That there shall be one member of the Board of Education elected from each Civil District of the County and qualification to hold office as a member of the Board of Education shall be a resident of the County and the Civil District in which they are elected, and shall be citizens of recognized integrity, intelligence, and ability to administer the duties of the office.

As amended by: Private Acts of 1992, Chapter 150

SECTION 3. That the compensation of each member of the Board of Education shall be \$4.00 for each regular meeting and/or called meeting of the Board of Education, and their salary shall be paid by the County.*

SECTION 4. That the Legislature expressly declares that each section, clause, paragraph, sentence and provision of this Act is severable, and that should any portion of this Act be held unconstitutional or invalid, the same shall not affect the remainder of this Act, but such unconstitutional or invalid portion shall be elided, and the Legislature declares that it would have enacted this Act with such unconstitutional or invalid portion thereof elided therefrom.

SECTION 5. That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed, and this Act shall take effect from and after the General Election in August, 1950, the public welfare requiring it.

Passed: April 13, 1949.

General

Private Acts of 1937 Chapter 555

SECTION 1. That the Town of Crossville, Tennessee be, and the same is hereby relieved and discharged from the power and duty of the establishment and maintenance of a public school system, in said municipality; and that the Charter of the Town of Crossville, Tennessee be amended accordingly.

SECTION 2. That all of the powers and duties heretofore vested in and imposed upon the Town of Crossville for the establishment and maintenance of a public school system, in and for said municipality, are hereby vested in and imposed upon Cumberland County, Tennessee; and, it shall be the duty of said county to establish and maintain adequate school facilities for the children within said municipality.

SECTION 3. That said Cumberland County, Tennessee and/or the Board of Education of said county are hereby authorized and empowered to contract with the Town of Crossville, Tennessee for the lease, rental or purchase of the school building and grounds, now owned and being used for said municipality for said school purposes.

Said rental, or purchase price agreed upon for said building and grounds to be paid as a General Law of the State now directs.

It shall be the affirmative duty of the County of Cumberland or its County Board of Education, to exercise the duties imposed by this Act within such time as to establish and maintain the school on or before the time for the opening of the schools in Cumberland County for the present year of 1937.

SECTION 4. That any and all laws and statutes in conflict with the provisions of this Act are hereby repealed.

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

Passed: May 13, 1937.

Superintendent of Education

Private Acts of 1951 Chapter 76

COMPILER'S NOTE: Cumberland County did not fall into the population class specified in the Act, nor did any other Tennessee County. Furthermore, the Index of the Private Acts of 1951 attributes the Act to Cumberland County.

SECTION 1. That in all counties of this State having a population of not less than 18,830 nor more than 18,850, according to the Federal Census of 1950, or any subsequent Federal Census, county superintendents of public instructions shall be elected by the qualified voters of said counties in the regular biennial election in August, 1952, and take office September 1, following his election, and shall serve for a term of four years and until his successor is duly elected and qualified.

The qualifications, duties and compensation of county superintendents of public instruction in counties to which this Act applies shall be the same as that provided by general law for all such county superintendents.

SECTION 2. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 30, 1951.

Education/Schools - Historical Notes

Board of Education

The following acts once affected the board of education in Cumberland County but are no longer operative. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Acts of 1907, Chapter 236, abolished the District Directors in every county of Tennessee and placed the school systems under County Boards of Education and District Boards of Advisors. The County Court would divide each county into five school districts composed of whole civil districts, as nearly equal in population or territory. One member of the Board of Education would be elected from each district, and, if the districts were less than five, from the county at large. The Board would select a Chairman whose duties and responsibilities were specified in the Act. The County Superintendent would be the ex-officio secretary. The power and authority of the Board were specified in this Act. Every Board member would report to the Superintendent on a scholastic census in his district and upon the condition of the physical facilities. The Board members would be paid between \$1.50 to \$3 per day for their services for not more than 30 days a year. The obligations of the Advisory Board, who were elected by the voters of the districts, three per Civil district, for two year terms, were specified.
2. Private Acts of 1927, Chapter 210, amended Public Acts of 1925, Chapter 115, a statewide school law by adding a paragraph at the end of Section 6 which provided for a nine member Board of Education in Cumberland County, and one member from each Civil District and one from the county at large, who would be elected by the County Court for a two year term and every two years thereafter.
3. Private Acts of 1931, Chapter 663, also amended Public Acts of 1925, Chapter 115, by providing for only five members of the Board of Education from the county at large who would have five year terms. The Act names C. E. Keys, as Chairman, to serve to the regular term of the County Court in January, 1936; A. L. Tabor, to serve until January, 1935; Mrs. T. A. Day, to serve until January, 1934; S. E. Knox, to serve until January, 1933; and M. L. Taylor to serve until January, 1932. This Act was repealed specifically by Private Acts of 1933, Chapter 421.
4. Private Acts of 1957, Chapter 342, created three Educational Districts in Cumberland County. Two members from each District would be elected to the Board of Education plus one member elected at large. Board members would be paid \$6 per day for their attendance at Board meetings. This Act did not receive local approval and never became effective.

Superintendent or Director of Schools

The acts referenced below once affected the office of superintendent of education in Cumberland 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 1941, Chapter 420, provided that the County Superintendent shall be elected at the regular biennial election in August, 1942, and take office September 1 following his election, serving for two years, at a salary of \$2,000 a year, half to be paid by the State and half by the county.
2. Private Acts of 1943, Chapter 160, provides that the County Superintendent of Education in Cumberland County shall be elected at the regular July session of the Quarterly County Court in July, 1944, take office on the following September 1, and serve for a term of four years at a salary of \$2,500 annually, shared evenly by county and state. The incumbent would finish his term which would expire on September 1, 1944. This Act was repealed by Private Acts of 1951, Chapter 77.

General Reference

The following acts constitute part of the administrative and political heritage of the educational structure of Cumberland 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 1905, Chapter 488, created thirteen school districts in lieu of the four school districts then existing. The boundaries of the thirteen school districts would coincide with those of the former Civil Districts before they were reduced to four by Private Acts of 1903, Chapter 599. The directors of the four school districts would remain in office, in whatever district their residence placed them until their terms expired.
2. Private Acts of 1909, Chapter 494, was a compulsory school attendance law for several counties, including Cumberland, requiring all children from 8 to 14 years of age to attend some school for at least four months or eighty consecutive school days in a year. Parents, or guardians, were responsible for seeing that the law was met. Some exceptions of disability, hardship cases, and private tutorship were recognized. Certain school officials could excuse a child, but not more than 2 days a month. Failure to comply subjected the guilty parent or guardian to a fine, and adequate reports of all absences, and copies of excuses, must be made to the Board of Education. The Superintendent of school shall notify the parent when a child is absent from school.
3. Private Acts of 1909, Chapter 544, was a compulsory attendance law for Cumberland County. Parents and guardians of children between the ages of 8 and 16 must have them in school for 80 days, or 16 weeks, if schools are open that long, unless excused under conditions enumerated in the Act. The County would furnish books and clothes to poor children who could not attend school for those reasons. School officials must submit proper reports to the Board of Education regarding absenteeism of all students. Parents and guardians, guilty of non-compliance, could be fined from \$10 to \$50 for each offense, and each day would constitute a separate offense.
4. Private Acts of 1921, Chapter 56, recited in the preamble that citizens had contributed large sums with which to purchase 440 acres of land at Crossville on which the Methodist Episcopal Church, South, was to build a school for the benefit of all citizens, and that the County Court had previously authorized an appropriation of \$2,500 to the Vocational School provided it was located in Cumberland County and that the General Assembly would approve their action. This Act ratified, approved, and validated the appropriation.
5. Private Acts of 1921, Chapter 398, authorized the County Court of Cumberland County to pay the American Missionary Association, which planned to expand its school with a \$100,000 improvement program, the sum of \$300 a year for five years provided the said Association had spent as much as \$20,000 on its program during the prior year, and, provided further, that the General Assembly would approve the appropriation. This Act did approve the action.
6. Private Acts of 1925, Chapter 483, created the Mayland Special School District out of part of the Second Civil District of Cumberland County, the boundaries of the district being described therein. The School Board would consist of three members, elected by the people of the district, who would serve two year terms, be of good moral character, twenty-five years or older, and have at least an elementary school education. The Board members were the corporate directors of the school district but would receive no pay other than that the Secretary could get the expense of the school census paid to him. The powers and duties of the Board were enumerated in the Act. The Trustee would pay to the district their pro rata share of general county education funds, and, in addition, a tax would be levied in the district of 20 cents on \$100 of property valuation, plus a \$1 poll tax, to provide money for the school. No more than 25% of the tax would be used for debt service. All children from 6 to 21 may attend and at no cost to them. This Act was repealed expressly by Private Acts of 1931, Chapter 690,, and by Private Acts of 1927,

Chapter 349.

7. Private Acts of 1925, Chapter 643, created the "Crossville Special School District" of Cumberland County whose boundaries were described in the Act. A Board of School Directors composed of three members was incorporated who would receive no pay except the Secretary who could collect his expenses for taking the required school census. They would be elected for two year terms in August, 1928, and A. L. Garrison and T. E. Measamer were named as two to serve until then. The Board members must be at least 30 years old, residents of the district, of good moral character and have a high school education. Their powers and duties were specified. A tax not to exceed 50 cents per \$100, and a poll tax of \$1, which could be raised to \$2 the following year, were authorized to provide funds.
8. Private Acts of 1925, Chapter 651, is the same as Private Acts of 1925, Chapter 483, which created the Mayland Special School District. This Act was repealed by Private Acts of 1931, Chapter 690.
9. Private Acts of 1927, Chapter 349, amended Private Acts of 1925, Chapter 651, by changing the boundaries of the Mayland School District and by permitting a maximum of 75% of total revenue to be applied to school bonds instead of 25%. This Act was repealed by Private Acts of 1931, Chapter 690.
10. Private Acts of 1951, Chapter 53, states that Mrs. Cora J. Baldwin taught in the Woody School for the 1948-49 school year but was not paid because the Superintendent did not procure a permit for her. Her work was accepted, her pupils were counted and promoted, and all her records and paper work received and approved. They have recommended payment of \$1,165.60 which would have been her salary, if paid, for the nine month school year. This is to be considered enabling legislation permitting the Quarterly County Court to pay and the County Judge to issue a warrant to pay the above amount to Mrs. Baldwin.
11. Private Acts of 1957, Chapter 342, created three Educational Districts in Cumberland County by aligning them with the Road Districts. Each District, so constituted, would elect two members to the Board of Education for two year terms, and one member would be elected from the county at large, all of which elections would be conducted under the regular election laws of the state. The members of the Board would be paid \$6 per day. This Act was not approved locally and never became effective.

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