



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

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Private Acts of 1977 Chapter 37

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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Private Acts of 1977 Chapter 37

SECTION 1. There is hereby created the Board of Education of Decatur County to be composed of nine (9) members. There shall be one member elected from each of the nine (9) school districts by the qualified voters of each such district. Each member of the Board of Education shall hold office for a period of six (6) years from September 1 next following his election at the August General Election and until his successor shall be elected and qualified.

SECTION 2. There are hereby created nine (9) school districts which shall be the same as the magisterial districts as now constituted or may hereafter be constituted. The numerical designation of the school districts shall be the same number as the magisterial district of which it is composed.

SECTION 3. The members of the Board of Education of Decatur County shall be residents and the voters of the school district from which they are elected. Such members shall be citizens of recognized integrity, intelligence, and ability to administer the duties of the office. No person shall be eligible to serve on the Board unless such person has a high school education. No member of the Quarterly County Court or any other county official shall be eligible to serve on the board.

If any member of the board ceases to reside in the school district from which such member is elected, the office of such member shall become vacant. If a vacancy is created by the removal from the district, death or resignation of a member, the vacancy shall be filled as provided by law and such person shall serve until the next General Election in August, at which time an election will be held for the unexpired portion of the term of the vacated member.

SECTION 4. At its first meeting after September 1, 1978, the Board of Education shall organize and elect one of its members to serve as chairman for a term of one (1) year. The chairman is authorized to perform all the duties of a chairman of a Board of Education as provided by law.

The Board of Education of Decatur County shall have all the rights, powers, liabilities, and compensation as are provided for the county Boards of Education under Title 49 of Tennessee Code Annotated.

SECTION 5. Until September 1, 1978, the Board of Education of Decatur County shall be composed of the six (6) incumbent members. The vacancy created in 1977 by the expiration of a member's term of office shall not be filled until the 1978 August General Election. The term of any incumbent member which expires in an odd-numbered year or in an even-numbered year prior to September 1 shall be extended to September 1 following the next August General Election after such expiration.

In the August General Election in 1978, a member shall be elected for a six (6) year term from each of school districts 4, 5, and 6 by the voters of each such district. From September 1, 1978 until September 1, 1980, the Board of Education shall be composed of eight (8) members. In the August General Election of 1980, a member shall be elected for a six (6) year term from each of school districts 7, 8, and 9. In the August General Election of 1982, the voters of school districts 2 and 3 shall elect a member of from each district for a six (6) year term and voters of school district 1 shall elect a member for a four (4) year term. After initial elected term of four (4) years, the member from school district 1 shall serve a term of six (6) years.

The incumbent members of the Board of Education shall serve until their terms expire as provided in this Act until their successors are elected and qualified. Any vacancy occurring in the incumbent membership of a board shall be filled in accordance with the provisions of this Act.

SECTION 6. Nothing in 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 7. If any provisions of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not effect 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 8. This Act shall have no effect unless it is approved by a majority of the number of qualified voters of the Decatur County voting in an election on the question of whether or not the Act should be approved. Within twenty (20) days after this Act became law, the county election commissioners of Decatur County shall call a election for the county to be held not less than sixty (60) days, nor more than seventy (70) days from the date of the call. The ballots used in the election shall have printed on them the substance of this Act and 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 the 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 Decatur County.

SECTION 9. For the purpose of approving or rejecting the provisions of this Act, as provided in Section 2, it shall be effective upon becoming a law, but for all other purposes the provisions of this Act shall be effective only upon being approved as provided in Section 2.

COMPILER'S NOTE: In Section 9, the Act refers to the provisions of Section 2. That appears to be a misprint. The provisions for approval are found in Section 8. Furthermore, the referendum occurred on June 30, 1977, and the vote was 863 for and 112 against. Therefore, the Act was approved.

Passed: April 20, 1977.

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