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Private Acts of 1949 Chapter 563

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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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Private Acts of 1949 Chapter 563

SECTION 1. There is hereby created and established an independent and special school district in Williamson County to include only the territory included in and coextensive with the present boundary lines of the ninth civil district of the county and all territory included in and coextensive with the boundary lines of the municipal corporation of Franklin as of September 1, 1986, to be known and designated as the "Franklin special school district", and all inhabitants of these areas shall be and constitute the inhabitants of the Franklin special school district hereby created and established, and these inhabitants, for the purposes of this Act, shall be and are hereby constituted a body politic and corporate, clothed with all powers and entitled to all the privileges and advantages of said Franklin special school district.

As amended by: Private Acts of 1967-68, Chapter 361
Private Acts of 1987, Chapter 53

SECTION 2. Be it further enacted, That a Board of Education, composed of six (6) members, is created for the Franklin Special School District. The members of the board shall be more than twenty-one (21) years old and bona fide residents of and qualified voters in such Special School District, be and the same is hereby created and established for said Special school district. The Board of Education shall have the management and control of the public schools therein, below the grades of 9 through 12, under such rules and regulations as such board may make. Members of the Board of Education shall be elected by the qualified voters of such school district. Members shall serve until their successors are appointed and qualified. In order to establish staggered terms of office, at the next biennial election after the effective date of this act, three (3) offices designated as Class I shall be for two-year terms and three (3) offices designated as Class II shall be for four-year terms. Candidates shall declare which office they are competing for prior to said election. Thereafter, all members shall be elected for a four (4) year term of office.

In the event of a vacancy occurring on such board, the remaining members of such board shall fill such vacancy by appointment, and such appointee shall hold office until the next regular biennial election and until a successor is elected and qualified. At such election a person shall be elected to either fill the unexpired term of office created by the vacancy or to a full term of office.

As amended by: Private Acts of 1970, Chapter 270
Private Acts of 1993, Chapter 81
Private Acts of 1993, Chapter 83

SECTION 3. That the said Board of Education shall meet on July 1, 1949, 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 should be members of said Board. And upon such an organization being perfected, said Board of Education shall proceed with its duties of managing and controlling the schools in said District under the powers herein given.

SECTION 4. That the management and control of such schools shall continue from the present time until June 30, 1949, in the hands of the present Board of Education of the Franklin Special School District as now constituted and that all funds belonging to said Franklin Special School District, as now constituted, on June 30, 1949, shall be transferred to the Board of Education of the Franklin Special School District as created hereunder. All taxes heretofore levied for the benefit of said Franklin Special School District, as now constituted, but not collected by June 30, 1949, shall, when collected, be credited to the Franklin Special School District as created hereunder.

SECTION 5. That the members of said Board of Education shall serve without compensation, but provision and allowance may be made for payment for reasonable clerical assistance necessary in keeping the records and books of the Secretary and the Treasurer; and for this purpose, an assistant to the Secretary and to the Treasurer, not a member of the Board, may be employed; that said Board of Education shall prescribe the rules and regulations for its government, and shall meet at such stated intervals as may be prescribed by its rules and regulations, and may hold such special meetings as may be necessary or advisable, of all which special meetings all members shall have the notice prescribed by its rules and regulations.

The Treasurer of said Board of Education shall enter into bond with proper conditions, sufficient to cover the school funds belonging to said Franklin Special School District which may be received, the amount of the penalty of which bond shall be determined by said Board of Education, and the bond shall be payable to the State of Tennessee for the use and benefit of said Franklin Special School District, and such bond shall be approved by and filed with Chairman of said Board of Education.

The Secretary of said Board of Education shall keep a true and correct record of all meetings and business transactions of said Board, and shall perform such other duties as may be required from time to time by said Board. The Treasurer of said Board of Education 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.

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 for as an expense incident to the management, control and maintenance of said schools, and all such books, records and other papers in connection with the administration of said 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 6. That said Board of Education, a majority of which shall at all times 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 power as Trustee or Directors to manage and control the public schools of said Special School District below the grades of 9 through 12; and said 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, County Superintendent of Public Instruction and State Superintendent of Public Instruction, all as required by and in accordance with the general laws of the State governing the management and control of public schools of the State, of the class and character contemplated by this Act. And said Board of Education shall prescribe all reasonable and necessary rules and regulations for the management, government and control of such schools, and shall employ such superintendent, teachers, and assistant teachers as may be necessary in their conduct and management.

As amended by: Private Acts of 1970, Chapter 270,
Private Acts of 1993, Chapter 83.

SECTION 7. That the County Trustee of Williamson County, from and after July 1, 1972, shall apportion to the Franklin Special School District, for the management of the schools therein provided for, the pro rata share of all school funds in his hands, to which said Franklin Special School District is entitled, which appointment, as between said Franklin Special School District and the remainder of Williamson County, shall be made each year in proportion to the average daily attendance in the schools provided for in said Special School District, and in the elementary schools of the remainder of Williamson County, in the same manner that apportionments on basis of average daily attendance for the previous year are made among the several counties and other subdivisions of the State, in the apportionment of the public school funds under the general school law. In the event that the basis of apportionment of school funds shall be, by subsequent legislation, changed, the apportionment under this Act will conform to the general law governing apportionments, so that said Special School District shall at all times receive the apportionment and pro rata of the public school funds to which it is by law entitled. And this apportionment shall apply not only to the pro rata share of any and all school taxes assessed and collected locally by Williamson County under general law, but also the pro rata share of said Special School District in the State school funds paid over to said County Trustee by the State pursuant to law.

As amended by: Private Acts of 1971, Chapter 78

SECTION 8. That said Board of Education shall have the authority to enter into contracts for the rental, purchase or construction of school buildings and for the purchase of real estate to be used for school purposes, payments due under such contracts to be made by said Board of Education from the funds available to it.

SECTION 9. That said Franklin Special School District through its said Board of Education is hereby authorized and empowered to borrow money by the issuance of bonds of said Franklin Special School District for the purpose of buying real estate for school purposes or the construction and equipment of buildings for such purposes, subject to the following limitations. The total amount of bonds to be outstanding at any one time shall not exceed ten per cent of the total assessed valuation of the property in said Franklin Special School District. No bonds shall be issued until after a resolution has been passed by a majority of said board of education authorizing their issuance. If the General Assembly declares an election to be necessary, then it shall be further required that after the resolution has been passed a referendum of the qualified voters of the Franklin special school district shall be held by the Election Commission of Williamson County and no such bonds shall be issued unless a majority of the voters in that election vote in favor of issuance. Notice of the referendum shall be given by publication in a newspaper published in Williamson County at least thirty (30) days prior to the date of the referendum.

As amended by: Private Acts of 1993, Chapter 8
Private Acts of 1999, Chapter 10

SECTION 10. For the purpose of supporting and maintaining the schools of the Franklin special school district, and for the purpose of supplementing the school funds as now provided by law and available for the benefit of the inhabitants of the special school district, there is hereby assessed for 1988, and for each subsequent year thereafter, a tax for operating purposes of one dollar (\$1.00) on each one hundred dollars (\$100.00) of taxable property, both real and personal, situated within the boundaries of the Franklin special school district, may, by majority vote, certify to the County Trustee a rate not to exceed

the rate designated above, whereupon that rate shall be the assessed rate for the year to which the certification is applicable. The basis of assessments on such property shall be the assessed value as shown by the books of the County Trustee, and the taxes assessed on real estate shall be a lien thereon. The taxes herein assessed shall become due and be collected at the same time and in the same manner as other taxes under the general laws of the state by the County Trustee, and the special taxes herein provided for, together with all school funds received from the County Trustee, 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 over to the Treasurer of the Board of Education of the special school district, or as the Board of Education of the special school district may direct, by the County Trustee, upon warrants signed by the Chairman or Vice-Chairman and Secretary of the Board of Education, and shall be under the control of the Board of Education for the use and benefit of the special school district, and for the maintenance of the schools therein provided for and for no other purpose. No part of said school fund shall be paid out by the treasurer of the special school district or otherwise, except upon and by the order of the Board of Education upon warrants properly drawn and signed by its Chairman or Vice-Chairman and Secretary. The separate tax list and assessment roll for the Franklin special school district shall be used by the County Trustee in making the collection of the taxes.

As amended by: Private Acts of 1951, Chapter 302

Private Acts of 1988, Chapter 217

SECTION 11. That the branches of study designated and prescribed in the general school laws of the State of Tennessee for grades K through 8 shall be taught in the schools of said Special School District, and said schools shall be open to all children residing in said Special School District, who are legally entitled to attend the same under the school laws of the State.

The Board of Education of said Special School District shall have the power to, and may, admit by contract to the schools of said District persons over school age or nonresident of said Special School District, upon terms of such reasonable rate of tuition, and under such regulations as may be prescribed for such persons; and all tuition under this clause shall be paid to the Treasurer of said Board of Education for the use and benefit of said Special School District, and shall be expended and paid out as other school funds collected and received for the maintenance of schools.

As amended by: Private Acts of 1993, Chapter 83

SECTION 12. That the provisions of this Act shall not in any manner apply to the control and management of any county high school or schools situated in said territory; and this Act shall not in any way affect the present control and managements of such high school or schools, or place any additional duties or liabilities upon said Special School District for the maintenance or operation of such county high school or schools. That the Board of Education of said Special School District hereby created and provided for shall not be under the direction or control of the County Board of Education, or of the County Superintendent of Public Instruction of Williamson County, but its policy shall be in harmony with the general system of public schools of the State, and all necessary and proper reports, properly verified and signed, shall be made, and full cooperation with public school system of this State shall be observed, in harmony with the general school law, as other Special Districts are maintained.

SECTION 13. That if any section, part or section, or provision of this Act shall be ascertained to be in contravention of the Constitution of this State, the invalidity of such section, part of section or provision, shall not impair the validity of the remainder of the Act.

SECTION 14. That all laws and parts of laws in conflict with the provisions of this Act be, and the same are, hereby repealed, and that this Act shall take effect from and after June 30, 1949, the public welfare requiring it.

Passed: April 5, 1949.

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