



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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Board of Education

Chairman

Private Acts of 1929 Chapter 72

SECTION 1. That in all counties in this state having a population of not less than 115,000 and not more than 116,000 according to the Federal Census of 1920 or any subsequent Federal Census, there is hereby created the office of Chairman of the County Board of Education. Such Chairman shall be elected by the Quarterly County Court of said county and shall be selected from the membership of the County Board of Education that has been elected by said County Court; and the first election under this Act shall be made at the first regular or special session of said Quarterly County Court following the passage of this Act. The term of office of such Chairman so elected shall be two years.

SECTION 2. That all Chairman of Board of Education so elected and appointed shall devote their entire time to the duties of said office, and shall receive as compensation therefore the sum of \$3,000 per annum, payable monthly out of the school fund of said County in the same manner as other school funds are paid out.

SECTION 3. That said Chairman shall discharge all the duties relating to schools now required by law, and in addition thereto shall render any services required by the County Board of Education, or the County Judge.

SECTION 4. That it shall be the duty of the Chairman of the County Board of Education to preside at all meetings of said Board; to appoint committees authorized by said Board; to serve as Chairman of the Executive Committee; to serve as a member of the Committee to conduct examinations for teacher's certificate; to make a monthly report to the Commission of Grounds and Buildings as to the condition of all the County School Buildings, and to make suggestions as to what repairs are needed.

SECTION 5. That it shall be the duty of said Chairman to see that all County School Buildings are kept in a sanitary condition.

SECTION 6. That said Chairman shall visit the schools from time to time and advise with teachers and members of the Board of Education as to their condition and improvement.

SECTION 7. That it shall be the duty of said Chairman to sign all certificates and diplomas of pupils who complete the course of study prescribed for Elementary and High Schools.

SECTION 8. That Chapter 387 of the Private Acts of 1927 the substance of which is recited in the caption of this Act and all other laws and parts of laws in conflict with this Act be and the same are hereby repealed and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 1, 1929.

Private Acts of 1917 Chapter 475

COMPILER'S NOTE: This act must be read in conjunction with Private Acts of 1983, Chapter 122, and Private Acts of 2022, Chapter 50, reproduced following this act.

SECTION 1. That in all the counties of Tennessee having a population of not less than 89,000 nor more than 90,000 by the Federal Census of 1910 or by any subsequent Federal Census, there shall be and is hereby created a Board of Education to be composed of seven residents of said counties, one of whom shall be designated as president of board, the member of said board to be elected as hereinafter provided, who at the time of their election shall have reached the age of thirty years and shall have previously resided in the counties affected at least one year. No member of said board shall be a candidate for or eligible to any other office, either State, county or municipal, during the term for which he or she is elected.

SECTION 2. That the members of both the Grammar and High School Boards in said counties and the members of all other school boards in said counties to which this act shall apply, shall be permitted to hold their office until the expiration of the same by law, but on the expiration of the terms of office of said members of said grammar and high school boards and all other members of school boards in said counties, their offices shall be abolished and the Quarterly County Courts in the counties affected by this act shall at the April term, 1918, elect the board of seven members herein provided, and the members of said board shall hold their offices for a term of, to-wit: Three members and the president who shall serve for a term of four years and the other three members shall serve for a term of two years. The said

Quarterly County Court in electing such officials shall designate the president of the board and each and all the other members of the board by name and the respective term of office shall serve. Such officials shall act until their successors in office shall be elected. And the said successors of the members of said Board of Education herein created, including the president thereof, shall also be elected by the Quarterly County Courts of the counties affected by this act, at the April term of said court herein every two and four years respectively. No compensation shall be paid to the members of said Board of Education herein provided for.

SECTION 3. That in each of said counties, on the first Monday of the month following the election of the members of the board herein provided for, said board shall meet and organize by electing a vice-president, a clerk of the board shall be appointed by the County Superintendent of Education in the counties to which this act shall apply.

The Secretary of said board shall be the County Superintendent of Education in said counties. It shall be the duty of the president to preside at all meetings of the board, and to sign all warrants duly authorized by resolution passed at any meeting of the board and by a majority vote of said board, and it shall be the duty of the vice-president to act for the president, in the event of his absence or disability. The board is authorized to adopt rules and by-laws for its government, and to provide for such committees as the majority of the board shall deem advisable. All vouchers and warrants issued by said board shall be countersigned by the said County Superintendent of Public Education in said counties.

SECTION 4. That from and after the election and qualification of the members of said Board of Education in the counties to which this act shall apply; the location, building, management and control of all the public schools of all grades in said counties, including all grammar and high schools, shall be vested in the said Board of Education herein created, together with the right to employ and fix the compensation of all principals, teachers, janitors, and other employes, and to pay such compensation to such persons and to maintain the grammar and high schools as now provided for by law, and to fix the grade and location of the same, to supervise the purchase of all needed supplies, where not otherwise provided by law, and generally to control the expenditure of all public school funds apportioned to said counties and levied and collected by them for school purposes.

SECTION 5. That it shall be the duty of said Board of Education to keep a register of the names of all the children in said counties within the school age in alphabetical order, with separate marked columns showing the name of the child and color, the name of the parent or guardian, the residence, the age, the school at which enrolled, the public or private school actually attended, the time of attendance, and a column for general information. To aid in the keeping of this register it shall be the duty of the enumerators taking the scholastic population to write down the names of each child, and of their parents or guardians, their residences, color and ages, and the school actually attended if not a public school of the county. It shall be the duty of the probation officer of the county, where such officer is otherwise provided by law in the counties to which this act shall apply, to furnish the Secretary of the said board the names of the children who do not attend school and the cause of their non-attendance. And it shall be the duty of the teacher or principal in charge of each public school of the county to furnish to the Secretary of the board a list of the pupils enrolled, their ages, color, and the days of attendance during each month. The register shall be compiled by the Secretary of the board from the information so obtained, and from such other sources as may be available. The expense of compiling and keeping such register shall be paid out of the public school funds, as other expenses are paid.

SECTION 6. That the said board shall fix the compensation of its Secretary, whose duty it shall be to keep a system of books containing an itemized statement of all funds credited to the board, all accounts payable and disbursements made, and a complete itemized record of all funds credited to the board and disbursed on warrants issued by it.

He shall make a statement to the board at least once each month of all accounts to be audited and paid, and of all petitions, claims and other matters to be considered by the board. It shall also be his duty to keep accurate minutes of all meetings of said board, in which shall appear a statement of each resolution or motion adopted.

SECTION 7. That the said Board of Education shall make to the April term of each Quarterly County Court in said counties a report showing the receipts and disbursements, the schools taught with the number of pupils attending, and teachers and employes employed in each and such other matters as they may deem advisable. They shall submit as a part of said report an itemized statement of the amount which will be required to run the schools for the ensuing year.

SECTION 8. That all the taxes levied by the Quarterly County Courts in said counties and all funds now collected as provided by law shall be continued in force in said counties and when so levied and collected shall be kept by the county trustees in said counties separate from all other funds and shall be withdrawn only upon warrant as herein provided for.

SECTION 9. That the board shall have the power to appoint and fix the compensation of all teachers, assistants and employes necessary for the purpose of performing any duty prescribed by this act.

SECTION 10. That this law shall not apply to the schools of municipal corporations.

SECTION 11. That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

SECTION 12. That this Act take effect from and after the first Monday in September, 1918, the public welfare requiring it.

Passed: April 2, 1917.

Private Acts of 1983 Chapter 122

SECTION 1. Beginning July 1, 1983, the term of office for each member of the Hamilton County Board of Education shall be for four (4) years. As the term of each member of the existing board of education expires, the county legislative body shall appoint the new member for a term of four (4) years, the term beginning on July 1 of the year of appointment.

SECTION 2. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Hamilton County before June 30, 1983. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by him to the Secretary of State.

SECTION 3. For the purpose of approving or rejecting the provisions of this Act, it shall be 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 2.

Passed: April 28, 1983.

Private Acts of 2022 Chapter 50

COMPILER'S NOTE: Because this act is an addition rather than an amendment to the original act (Private Acts of 1917, Chapter 475), and does not specifically state where the addition is to be made within the original act, it is published in full herein.

SECTION 1. Chapter 235 of the Private Acts of 1992, and any other acts amendatory thereto, are hereby repealed. Chapter 475, of the Private Acts of 1917, as amended by Chapter 122 of the Private Acts of 1983, and any other acts amendatory thereto, is further amended by adding the provisions of Sections 2 and 3 of this act.

SECTION 2. Hamilton County shall be divided into school districts which shall be coextensive with the county commissioner districts established by the county legislative body of Hamilton County from time to time. The Hamilton County Board of Education shall consist of the same number of members as the number of county commissioner districts in Hamilton County, with one (1) member of such Board of Education being elected by the qualified voters in each school district. Members shall be residents of the district from which elected. Board members shall be elected to staggered four (4) year terms so that every two (2) years the terms of approximately one-half (½) the members of the Board shall expire. Persons elected in the regular August elections shall take office on September 1, following the election and shall serve until their successors are duly elected and qualified.

SECTION 3. The current term of incumbent members of the Hamilton County Board of Education shall not be abridged as a result of changes in school districts as provided in this act. In order to establish staggered terms and to increase the number of board members from nine (9) to eleven (11), board members shall be elected as follows:

At the August 2022 election, members from School Districts 3, 5, 6, 8, and 9 shall be elected to serve a term of four (4) years and every four (4) years thereafter.

At the August 2022 election, members from School Districts 10 and 11 shall be elected to serve a term of two (2) years.

At the August 2024 election, members from School Districts 1, 2, 4, 7, 10, and 11 shall be elected to serve a term of four (4) years and every four (4) years thereafter.

SECTION 4. 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 provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 5. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Hamilton County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body of Hamilton County and certified to the secretary of state.

SECTION 6. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 5.

Passed: April 8, 2022.

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