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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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Board of Education

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

1. Public Acts of 1907, Chapter 236, created a Board of Education for every county in the state, abolishing the District Directors, and placing the schools under the Board and District Advisory Boards. One member of the Board would be elected from each of the five school districts into which the county court must divide the county. If there were fewer than five districts, other members would be elected at large. The court would appoint the first members to serve until the elections could produce their successors. The duties of the Chairman, the Secretary, and the Board Members were stipulated in the Act including those reports necessary for the orderly conduct of the system. The three member Advisory Board would be elected by popular vote in each District and discharge the duties prescribed for them in this Act. Several counties exempted themselves from the operations of this Act but Dyer County was not among their number.
2. Private Acts of 1933, Chapter 810, created a board of education for counties across the state in a certain population classification, dividing the counties into seven civil districts.
3. Private Acts of 1949, Chapter 920, established the annual compensation of the Chairman of the Board of Education at \$400, payable in equal monthly installments out of the county treasury. Other members of the Board would be paid \$200 per annum in a similar fashion.
4. Private Acts of 1971, Chapter 130, amended Private Acts of 1933, Chapter 810, by deleting the seven school districts as they were described in Section One and substituted a provision calling for ten school districts having the same boundaries and numerical designations as the Civil Districts in the county had but the present Board of Education would continue in office until their terms were completed. Section 2 was amended so that voters would elect one member of the School Board from each District. This Act was not considered by the Quarterly Court of Dyer County and therefore never took effect therein.
5. Private Acts of 1971, Chapter 192, amended Section One, Private Acts of 1971, Chapter 130, by changing the ten Civil Districts from each of which members of the Board of Education would be elected to the ten Magisterial Districts of the county. This Act was approved on July 14, 1971.

School Districts

The following acts once affected specific school districts in Dyer County and they are no longer operative having been repealed or superseded.

1. Private Acts of 1903, Chapter 470, changed the boundary lines of the 33rd School District in Dyer County to read as follows: beginning at the northwest corner of S. G. Parker's Coker farm; thence south with the Newbern and Friendship Road to the old J. H. Purcell place; thence west to the northwest corner of the G. M. Tatum farm; thence south to the Forked Deer River; thence east with said River to Cypress Creek; thence north with said Creek to the bridge near the W. H. Hendrix home place; thence west to the point of the beginning.
2. Private Acts of 1905, Chapter 177, created a Special School District in the Second Civil District of Dyer County with a general description of the area running Walter Hill's place to W. E. Golden's southwest corner on Cane Creek, to Pond Creek to its mouth at Forked Deer, and then up the River to the beginning. School Directors of the area were advised to pay the Special District its prorated share of school funds. The Superintendent of Schools was obligated to appoint three school directors to serve until their successors could be elected.
3. Private Acts of 1905, Chapter 454, amended Public Acts of 1903, Chapter 240, the general school law of the State, in Sections One, Two, and Three, as they fixed the boundaries of school districts but no further. This act had the effect of giving the Quarterly County Court of Dyer County the power to establish school districts. This Act did not apply to any other county.
4. Private Acts of 1907, Chapter 165, formed a Special School District in the 8th Civil District of Dyer County, the boundaries of which were described in the Act. The County Superintendent of Schools was required to number the school district to conform with others. J. S. Patterson, A. W. Harrington, and Will Easley were named in the Act to serve as Directors of the School District until the next election could produce their successors. The Directors were granted the authority to operate and manage the schools in the district.

5. Private Acts of 1911, Chapter 33, created a special school district in portions of the Seventh and Eighth Civil Districts as the same was described in the said Act, and directed the County Superintendent of Schools to give the district a number. Named as the first Board of Directors to serve until their successors could be elected and assume office were W. J. McCain, Arch Holland, and C. M. Worth. The Act further required that the district be paid their pro rata share of school funds.
6. Private Acts of 1915, Chapter 233, formed a Special School District out of portions of the Fourth,, Tenth, and Seventeenth Civil Districts of Dyer County which involved an area running roughly from Mary Williamson's place in the northwest corner to the J. N. Norris farm on the east. The Superintendent of Public Instruction would number the District and appoint three Directors who would serve until their successors, elected in the next general August election, could take over the responsibilities of that office.
7. Private Acts of 1937, Chapter 756, is listed as being applicable to Dyer County but the Act which this Act repealed, Private Acts of 1935 (Ex. Sess.), Chapter 135, created the Dyer Special School District for the City of Dyer in Gibson County.
8. Private Acts of 1937, Chapter 852, also referred to the Dyer Special School District which was located in Gibson County.

School Districts - Churchton School District

The following acts once affected the Churchton School District and are included here for historical purposes.

1. Private Acts of 1925, Chapter 378, created the Churchton School District in Dyer County with a general description by metes and bounds of the area involved in the District. An election was required to be held in the summer of 1925 to decide if the voters wanted a bond issue of \$7,500 with which to build the school. Ballots must be printed with just a simple "yes" or "no". The bonds, if approved in the referendum, would be issued at an interest rate not to exceed 6%, and must mature no later than ten years from the date of issue, and must be in the form prescribed in the Act. J. C. Rose, O. W. Taylor, and Joe Tidwell were named as Board Commissioners to oversee the details of the issue and sale of the bonds as stated in the Act. School affairs were to continue in the hands of the Board of Education. To support the schools and amortize the bonds, a school tax of twenty cents and a poll tax of \$1.00 on all between the ages of 21 and 50 were allowed.
2. Private Acts of 1927, Chapter 565, also created the independent school district to be called the Churchton School District which would include the land in the 9th Civil District as the same was described in this Act. An election would be held to ascertain the voters pleasure regarding the issue and sale of \$6,000 in bonds with which to construct the school building, and equip the same. The bonds must be in the form prescribed in the act, could not bear an interest rate over 6%, nor mature later than ten years from the date of issue. The Act named W. D. Grills, Chairman, R. P. Harrington, T. A. Austin, Elmer Headen, Carl Grills, G. M. Smith, O. K. Smith, and Alton Zarrieor as members of a Bond Commission to supervise the program. The County Board of Education would manage the school. A tax levy of twenty cents per \$100 of property valuation and a poll tax of \$1.00 on all between the ages of 21 and 50 were authorized to be levied. The Public Service Commission of the State was named to assess the value of the utilities within the District. This Act was repealed by the one following.
3. Private Acts of 1929, Chapter 546, created the Churchton Special School District describing the area embraced in the District by metes and bounds. Within 15 days after the passage of this Act, an election would be held on the question of the issue and sale of \$8,000 in bonds with which to build and equip the school in the district. All prior actions taken in connection therewith were ratified and validated. The bonds must be at an interest rate of 6%, or less, and mature no later than ten years from issue. If affirmed in the election, the act named W. D. Grills, Chairman, G. M. Smith, J. H. Pope, J. C. Rose, Elmer Headden, Carl Grills, O. K. Smith, and T. L. Austin, as a Bond Commission to sell the bonds and administer the program in conformity with the requirements of this Act and the general law. The building Committee was made up of W. D. Grills, Chairman, G. M. Smith, Secretary, and J. C. Rose. This Act repealed Private Acts of 1927, Chapter 565, above, in its entirety.

School Districts - Newbern School District

The following acts once affected the Newbern School District and are included here for historical purposes.

1. Private Acts of 1929, Chapter 627, formed a special high school district in the 6th Civil District of Dyer County, including the town of Newbern, and also portions of the Seventh, Eighth, and Ninth Civil Districts, as described therein. The District would be managed by a five member Board of

Directors as an incorporated body. The members were to be elected by the people in accordance with the terms and conditions established in this law. Express grants of power were made to the Board in seven paragraphs within Section 5 which were of a broad and general nature but intended to accomplish the management of the District and its operation. A special school tax, not to exceed 30 cents per \$100 property valuation, was authorized to be levied in 1929 and every year thereafter in order to keep the school open for 9 months each year. Children between the ages of six and twenty-one who were residents of the district could attend free of charge. All others were required to pay the tuition charges set by the Board.

2. Private Acts of 1931, Chapter 12, ratified, confirmed, and validated all the prior actions of the Board of Directors of the Newbern Special School District held in connection with the issue and sale of \$35,000 in high school bonds, dated June 1, 1930, at 5¼% interest, and maturing on June 1, 1950. The election held in the district is also validated and legalized despite any lack of statutory authority. The bonds were declared to be the legal, binding, and uncontestable obligations of the district. A property tax of 30 cents per \$100 property valuation must be imposed on property so long as any of these bonds are outstanding and unpaid.
3. Private Acts of 1943, Chapter 388, amended Private Acts of 1929, Chapter 627, Item One, above, by reducing the tax rate for the School District from thirty cents to fifteen cents per \$100.
4. Private Acts of 1947, Chapter 573, amended Sections 4 and 7 of Private Acts of 1929, Chapter 627, by adding a provision at the end authorizing the Board of Directors of the District to use any accumulated funds on hand, or hereafter, if it does not interfere with, or hinder, the operation and maintenance of the high school, for the purpose of building and equipping a gymnasium, or to assist in the building and equipping of a war memorial, provided the memorial contained a gymnasium, the use of which would be available to the high school.
5. Private Acts of 1949, Chapter 302, expressly repealed Private Acts of 1929, Chapter 627, as amended. All property, real and personal, of the Special School District, as well as the claims and choices in action would vest in the town of Newbern for such corporate purposes as might be deemed advisable by the town's governing body.

Superintendent or Director of Schools

The acts referenced below once affected the office of superintendent of education in Dyer County, but are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1919, Chapter 410, provided that the county superintendent of public instruction be elected for a two year term. 2. Private Acts of 1933, Chapter 558, required that the County Superintendent of Public Instruction as now provided by state law to be elected by the people of Dyer County for a two year term, at the general August Election, beginning in August, 1934. The Superintendent must have all the qualifications specified by law and would start the term on the first Monday in January, 1935, and continue for two years from that date. This Act shall in no wise affect the compensation and the duties of the Superintendent. This Act was repealed by the one below.
2. Private Acts of 1943, Chapter 268, expressly repealed Private Acts of 1933, Chapter 558, above, and all the subsequent Acts amendatory thereof. (This action would seem to restore the 1919 Act if the same had been superseded by Chapter 558.)
3. Private Acts of 1971, Chapter 129, abolished the office of School Superintendent in Dyer County effective on September 1, 1971. The Board of Education was authorized to employ an Administrator of Schools for the county who must possess all the qualifications, powers, duties, and responsibilities of the County School Superintendent now and hereafter prescribed by law. The Administrator would be an employee of the Board of Education with whom a contract must be made covering all the aspects of the employment. This Act was not acted on by the Quarterly Court of Dyer County and consequently never became an effective law.

General Reference

The following acts constitute part of the administrative and political heritage of the educational structure of Dyer 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 1829, Chapter 109, incorporated Joseph DeGraffenried, Alexander McCullough, John Rutherford, James J. N. Foster, and Nathaniel Benton as the Trustees of Dyer Academy in Dyer County which would be governed and regulated as the other educational institutions in the State.
2. Acts of 1831, Chapter 16, stated that nothing in this Act would prevent any future legislature of

the State from making such disposition of the school funds allotted to the counties of Henry, Carroll, Weakley, Gibson, Dyer, and Obion as the General Assembly might from time to time direct.

3. Acts of 1853-54, Chapter 208, divided the Dyer Male Academy into two parts, one being for the use of females, and each to share equally in the educational funds available. This Act replaced the former Trustees with James H. Dayle, S. Richardson, S. D. Whitten, A. G. Pierce, Samuel Gillespie, G. R. Mulherrin, W. A. Dawson, Thomas J. Connell, Asa Fowlkes, T. D. Woods, C. H. Ledsinger, and F. G. Sampson. The title to the ten acres of land and the academy improvements would vest in the above named Trustees. The Trustees were further given the full power and authority to direct and manage the Academy.
4. Acts of 1865-66, Chapter 144, appointed Thomas H. Benton, Levi H. Silsby, Stephen D. Whitten, Albert G. Pearce, George B. Miller, Samuel R. Latta, and Alfred Stevens as Trustees of the Dyer County Male Academy as the County Court had requested the General Assembly to do. The Trustees were made subject to all the qualifications and demands of the general law, must meet in the Court House, select one of their number as a Chairman and take charge of all the school's property. Section 3 of this act named Frank G. Sampson, Richard P. Watson, S. White Tarkington, Albert M. Stephens, and John H. Christie, as the Trustees of the Dyersburg Female Academy under the above terms and conditions.
5. Acts of 1879, Chapter 120, changed the name of the Dyersburg Male and Female Academy to the Dyersburg Male and Female College. Named as Trustees in the Act were T. H. Benton, J. H. Christie, C. P. Clark, I. F. Child, W. C. Doyle, H. F. Ferguson, G. B. Miller, C. C. Moss, T. W. Neal, E. C. Pate, A. G. Pierce, H. M. Stevens, E. G. Sugg, and J. C. Webb, who would have and enjoy the same powers as the former Trustees.
6. Private Acts of 1909, Chapter 576, amended Public Acts of 1907, Chapter 236, the then general school law of the State which created Boards of Education in every County, so as to exempt Dyer County from the application of its provisions as several other counties had already done.
7. Private Acts of 1909, Chapter 588, was the authority for the Trustee of Dyer County and of Crockett County to distribute the public school funds credited to those counties under Public Acts of 1907, Chapter 236, according to their respective scholastic populations. School Districts and Civil Districts were to be coextensive with each other and the District Board of Advisors would serve as District Directors whenever it was necessary for them to do so.
8. Private Acts of 1921, Chapter 611, repealed specifically Private Acts of 1909, Chapter 576, Item 6, above, in its entirety, which would have the effect of placing Dyer County back under the terms and conditions of Public Acts of 1907, Chapter 236.
9. Private Acts of 1929, Chapter 812, allowed the Quarterly Court in Dyer County (identified by the use of the 1920 Federal Census figures) to appropriate an amount not to exceed \$8,000 to match the State Building and Repairing Funds for rural elementary school buildings and repairs for one school year only, 1929-1930. The Court was further permitted to levy a special school tax of up to five cents per \$100 for that purpose. The tax would be collected by the Trustee as any other County Tax.
10. Private Acts of 1935 (Ex. Sess.), Chapter 95, was the legal authority for the mayor and aldermen of the town of Trimble in Dyer County to enter into a proper arrangement and contract with the officials of Dyer County by which the county would operate and maintain the high school and the elementary school which was formerly operated by the city in a building which was recently destroyed by fire. The city could further turn over to and release to the County any funds which might have been allocated to that particular school.

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