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## Chapter VI - Education/Schools

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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 746

**SECTION 1.** That in all counties of this State having a population of not less than 11,225 and not more than 11,233, according to the Federal Census of 1940, or any subsequent Federal Census there is hereby created a County Board of Education to be composed of seven (7) members.

**SEC. 2.** That there are hereby created and established six (6) educational districts which shall be comprised as follows:

The First Educational District shall be composed of the First and Seventh Civil Districts of said Counties.

The Second Educational District shall be composed of the Second and Tenth Civil Districts of said Counties.

The Third Educational District shall be composed of the Third and Fourth Civil Districts of said Counties.

The Fourth Educational District shall be composed of the Fifth and Eleventh Civil Districts of said Counties.

The Fifth Educational District shall be composed of the Eighth and Twelfth Civil Districts of said Counties.

The Sixth Education District shall be composed of the Sixth and Ninth Civil Districts of said Counties.

**SEC. 3.** That one (1) member of the County Board of Education shall be elected from each of said educational districts, except the sixth, which contains the County town and from which two (2) members of the Board of Education shall be elected, at the General August election, 1950 and biennially thereafter, for a term of two years. The candidates shall qualify from their respective school district in which they reside and in which they are citizens, and shall be voted for only by the qualified voters of their respective districts. They shall possess the qualifications and perform the duties now or hereafter prescribed by the general law. The compensation of members of said County Board of Education shall be Four (\$4.00) Dollars per day when attending regular or special meetings and discharging the duties imposed upon them by law; provided that the County Trustee shall pay no voucher issued to members unless the same shall have been approved by the County Judge or Chairman of the County Court.

**SEC. 4.** That the members of the Board of Education now in office in said Counties shall serve as the Board of Education until the first day of September, 1950 when they shall be succeeded by the Board elected, as herein provided.

**SEC. 5.** That any vacancy or vacancies which occur on said Board shall be filled by the Quarterly County Courts of such Counties.

**SEC. 6.** That if any section or part of this Act shall be held invalid it is hereby expressed as the legislative intent that the same may be elided and that the remainder of this Act shall remain in full force and effect.

**SEC. 7.** That all 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: April 12, 1949.

### Superintendent or Director of Schools

#### Private Acts of 1941 Chapter 217

**SECTION 1.** That in counties of this State having a population of not less than 11,200, nor more than 11,250, by the Federal Census of 1940, or any subsequent Federal Census, the County Superintendent of Public Instruction shall be elected by popular vote. The first election therefor shall be held at the regular August election, 1942, and the person so elected shall take office on September 1, next following his election, and shall serve for a period of four years and until his successor shall be elected and qualified. The person elected by the Quarterly County Court at its January session, 1941, shall continue to be and

remain the County Superintendent of Public Instruction until September 1, 1942.

The person so elected County Superintendent at the August election, 1942, shall possess the same qualifications and shall discharge the same duties as are now discharged by the County Superintendent of Public Instruction, and the compensation of such person shall be fixed by the Quarterly County Court at either the April or July term of its session next prior to the election in August and shall not be increased or diminished during his term of office and shall not be less than, so far as the County's part thereof is concerned, the sum of \$900.00.

Any vacancy occurring in the office of County Superintendent of Public Instruction by death or resignation or removal shall be filled by the Quarterly County Court, and the person so elected at such vacancy shall hold office until his successor shall be duly elected and qualified at the next regular election for County officers after the occurrence of such vacancy.

As amended by: Private Acts of 1943, Chapter 251

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

Passed: February 7, 1941.

## Education/Schools - Historical Notes

### **Board of Education**

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

1. Private Acts of 1935, Chapter 617, created a county board of education in Hancock County which consisted of seven members, elected by the voters, and this act also divided the county into six school districts. This act was repealed by Private Acts of 1941, Chapter 304.
2. Private Acts of 1941, Chapter 305, created the Hancock County Board of Education which consisted of twelve members to be elected by the voters for two year terms. This was repealed and the board abolished by Private Acts of 1945, Chapter 360, which also provided that the board of education would be elected pursuant to the general statutes. Private Acts of 1949, Chapter 745, repealed part of Private Acts of 1945, Chapter 360, leaving in effect only its repealer section.

### **Superintendent or Director of Schools**

The act referenced below once affected the office of superintendent of education in Hancock County, but is no longer operative.

1. Private Acts of 1929, Chapter 536, provided for the election of the superintendent of public instruction by the voters of Hancock County. This was repealed by Private Acts of 1933, Chapter 657, which was then repealed by Private Acts of 1941, Chapter 143.

### **General Reference**

The following acts constitute part of the administrative and political heritage of the educational structure of Hancock 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 1847-48, Chapter 196, declared that "Whereas, knowledge and virtue being essential to the preservation of republican institutions, and the diffusion of the opportunities and advantages of education throughout the different portions of the state being highly conducive to the promotion of this end, and it being the declared duty of the general assembly to cherish literature and science," the trustees of Hawkins and Claiborne counties were ordered to pay over to the trustee of Hancock County those school monies belonging to the fractions of their counties which had formed Hancock County.
2. Acts of 1909, Chapter 256, was a compulsory school attendance law which required that children in Hancock County between the ages of eight and sixteen attend school for at least sixteen weeks or eighty days of each school year, unless their absence was excused by a school director.
3. Private Acts of 1911, Chapter 332, was the next compulsory attendance law for Hancock County. It required that children between eight and sixteen attend school for at least sixteen weeks or eighty days. The child could be excused by a school director, but he must have finished the primary course first, after which time he could be excused for a mental or physical disability or for reason of extreme poverty, necessitating the work of the child at home. In this latter instance, the commissioner of the poor could make an allowance to the parents for the loss of the child's labor. This act also provided that a teacher could excuse temporary absences.
4. Private Acts of 1911, Chapter 446, authorized the issuance of bonds in the amount of \$8,000.00

to be spent on public schoolhouses. These bonds were to mature in less than ten years and had varying rates of interest.

5. Private Acts of 1933, Chapter 393, exempted Hancock County from the general law providing for the election of an attendance officer, but this was repealed by Private Acts of 1939, Chapter 399.
6. Private Acts of 1935, Chapter 619, was a bond issue of \$60,000.00, to be used to build a high school at Sneedville. These bonds had a maximum annual interest rate of 5% and were to mature within twenty-five years.
7. Private Acts of 1939, Chapter 399, provided for a supervisor of attendance for the public schools of Hancock County, defined his duties, term of office and fixed his compensation.

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