



March 29, 2025

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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Chapter VI - Education/Schools

Board of Education

Private Acts of 1945 Chapter 461

SECTION 1. That in all Counties in Tennessee having a population of not less than 6,100 nor more than 6,123, according to the Federal Census of 1940, or any subsequent Federal Census, there is hereby created a Board of Education which shall be composed of five members to be elected by the Quarterly Court of said County.

SECTION 2. That at the regular July, 1946, meeting of the Quarterly Court there shall be elected to said board a resident of the first or second civil district who shall serve for one year; another member to said Board shall be elected from the third or fourth civil district of said county who shall serve for two years; a third member of said board shall likewise be elected from the fifth or sixth civil district who shall serve for three years; a fourth member of said board shall be elected from the seventh district of said county who shall serve four years; and the fifth member of said board shall be elected from the eighth, ninth or tenth district and he shall serve for a period of five years.

SECTION 3. That the members of said board elected as described in Section 2 hereof shall take office on the first Monday in September, 1946, and that at the meeting of the Quarterly Court in July preceding the expiration of a member's term of office his successor shall be elected from the respective districts from which the member was elected to said board to succeed those elected at the July, 1946, term shall serve for a period of five years, it being the intention of this Act that the term shall be five years but that not more than one new member shall be elected in any one year.

The term of office for the members of the Board of Education of Trousdale County shall be for a term of seven years. Beginning at the July Term, 1963 and at each July Term thereafter, the Quarterly County Court of Trousdale County shall elect the members of the Board of Education for a term of seven years preceding the expiration of their present term of office. In addition to the foregoing, the Quarterly County Court of Trousdale County at the July Term, 1963 is hereby directed and authorized to appoint two additional members to said Board of Education, and their term of office shall be for seven years and until their successors are elected and qualified. Provided further, that one (1) of the additional members shall be resident and elected from the Seventh Civil District of said County. The other additional member shall be elected from the County at large. Provided that such Board members shall receive twenty-five dollars (\$25) per day and the Chairman shall receive thirty dollars (\$30) per day for each day's actual attendance at meetings of said Board.

As amended by: Private Acts of 1963, Chapter 106, Page 341,
Private Acts of 1975, Chapter 63, Page 219.

SECTION 4. That members of said board shall receive \$3.00 for each regular or duly called meeting except that the chairman shall receive \$4.00, the same to be paid from the general fund of the county.

SECTION 5. That the duties and powers of said Board of Education shall, except as provided by this Act, be the same in all things as provided by the general law of the State of Tennessee applying to the County Board of Education.

SECTION 6. That if any Section or part thereof of this Act shall be declared unconstitutional, the invalidity of such Section or part thereof shall not affect the validity of remainder of said Act.

SECTION 7. That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed and this Act shall take effect on July 1, 1946, the public welfare requiring it. Passed: February 26, 1945

Retirement Pay

Private Acts of 1941 Chapter 61

SECTION 1. That the County Boards of Education and/or County Board of School Commissioners of Counties of this State having a population of not less than 6,100, nor more than 6,113, according to the Federal Census of 1940, or any other subsequent Federal Census, shall pay out of the County School Fund to any teacher who has taught in the public schools of said Counties and who is seventy years of age, or over, and who has taught in said public schools for thirty or more school years, and who wishes to retire, or has retired from serving in said public schools, an annual pension equal to two-thirds of the salary

received by said teacher in the last year of service in said public schools.

SECTION 2. That the Board of Education and/or the County Board of School Commissioners shall have the authority to direct the retirement upon like pension, pensions required in the first Section of this Act, of any teacher over seventy years of age who has taught in said public schools for thirty years or more school years.

SECTION 3. That in computing the period of teaching in said public schools under the terms of this Act said period need not be consecutive, provided, that the aggregate period of teaching by any teacher in said public schools equals the time provided in this Act.

SECTION 4. That all laws and parts of law in conflict with the provisions of 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: January 22, 1941.

Superintendent

Private Acts of 1959 Chapter 48

SECTION 1. That, in all counties in Tennessee having a population as described in the caption, a county superintendent of education shall be elected by the people at the regular August election of county officers, for a four-year term, to take office September 1 thereafter, the compensation therefor to be as now provided by law. So as not to abridge the term of office of the present incumbent the first election hereunder shall be held in August 1960, the person elected to take office at the expiration of the term of the present incumbent, to serve until September 1, 1964.

SECTION 2. That if any section or part of this Act should be declared unconstitutional, the invalidity thereof shall not affect the validity of the remainder.

SECTION 3. That this Act shall be void and of no effect unless the same shall be approved by a majority of voters voting in a special election to be held for such purpose. Within sixty (60) days after the approval of this Act by the Governor, it shall be the duty of the Trousdale County Board of Election Commissioners to call a special election to be held in said County and said election shall be held not less than thirty (30) nor more than sixty (60) days from the date of such call for the purpose of approving or rejecting the provisions of this Act. The ballots used in such election shall have printed thereon the provisions of this Act and the voters shall vote for or against its adoption. The vote cast at such election shall be canvassed by the County Board of Election Commissioners on the first Monday occurring five (5) or more days after the date of such election and the result thereof shall be proclaimed by such Election Commission and certified to the Secretary of State at Nashville. The qualification of the voters voting in said election shall be the same as now required of voters casting their ballot for members of the General Assembly and all laws applicable to general elections shall apply to the election to be held hereunder, the public welfare requiring it

As amended by: Private Acts of 1959, Chapter 139

SECTION 4. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: _____.

COMPILER'S NOTE: The date the Act passed was left blank in the original Act.

Education/Schools - Historical Notes

Board of Education

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

1. Public Acts of 1873, Chapter 25, established a uniform system of public schools in Tennessee which would be administered by a State Superintendent, County Superintendents, and District School Directors. Three Directors would be elected by the people of the district to three year terms.
2. Private Acts of 1907, Chapter 236, abolished the office of District Directors and established a Board of Education for most counties in the State, assisted by a District Board of Advisors. The Quarterly Court was directed to divide the county into five school districts, composed of whole civil districts, from each of which one member of the Board would be elected by the Quarterly Court. The Superintendent would serve as Secretary. The duties of the Chairman, the Secretary, and the

Board members were enumerated in the Act. A three member Advisory Board would be elected by the people in each district, who would serve two year terms and discharge the duties specified for them in the Act.

3. Private Acts of 1909, Chapter 327, amended Public Acts of 1873, Chapter 25, to provide for a County Board of Education in Trousdale, Houston, and Shelby counties, composed of one member from each civil district, the County Judge or Chairman of the County Court, and the County Superintendent of Public Instruction who would be ex-officio Chairman of the Board. The Superintendent would appoint the initial members of the Board but their successors would be elected by popular vote in each civil district to two year terms. The duties of the Chairman, the Secretary who would be selected by the members, and the Board members themselves were all specifically enumerated in the Act. No member of the Board would be compensated under this Act.
4. Private Acts of 1941, Chapter 233, created a Board of School Commissioners in which was vested the administration, management, supervision, and control of the school system in Trousdale County. The Commissioners would be elected by the voters of the District for two year terms, one from each Civil District except the Seventh where two would be elected. The Board would have all the powers of a Board of Education which the general law conferred. A special election would be held to select the first members and vacancies would be filled in the same way. The Board would hold regular meetings on the first Monday in June, September, December and March. The Chairman would be paid \$4, and the members, \$3, per day but not for over 15 days in one year. The Superintendent of Public Instruction would serve as ex officio Secretary to the Board keeping minutes of all the meetings but having no vote. This Act was repealed by Private Acts of 1943, Chapter 226.
5. Private Acts of 1943, Chapter 227, created a Board of Education composed of eleven members, one member from each Civil District and two from the District of the county seat, who would be elected for two years by the people of the District wherein they resided. The Act named L. S. Carman, John Gregory, Jesse Merryman, Dan B. Carr, Donnie Thompson, H. M. Byars, E. A. Brown, A. A. Lauderdale, Benton King, R. B. Piercy, and Eddie Harris, to serve as members until their successors could be elected in August, 1944. The Chairman would be paid \$4 per day, and the members of the Board would receive, \$3 for each day served in that capacity. The Board would have and exercise all the powers and privileges given to the Boards of Education under the general law of the State. This Act was repealed by Private Acts of 1945, Chapter 459.
6. Private Acts of 1955, Chapter 102, formed a seven member County Board of Education to be elected at large by the people of the County for two year terms. Carl Dickerson and Lawrence Thompson were named to fill the two additional spots created by this Act, and the incumbent members of the Board would remain in office until their successors could be elected. All general school laws in effect and not in conflict with the provisions of this Act would prevail. The efficacy of this Act was made subject to an affirmative referendum vote. This Act was rejected by the voters of Trousdale County and never became effective.
7. Private Acts of 1959, Chapter 47, set up a seven member County Board of Education who would be chosen at large by the Quarterly Court of Trousdale County to staggered terms with successors to be elected one each year for permanent seven year terms. In all other respects the Board would be subject to the general education laws of the State. This Act was not approved by the Quarterly Court which action rendered it null and void.

Superintendent or Director of Schools

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

1. Private Acts of 1941, Chapter 464, provided for the popular election of the County Superintendent of Schools for Trousdale County beginning at the general election in August, 1942, beginning the term on January 1, 1943, and every two years thereafter, but provided further, that Brown Draper, the present Superintendent shall serve through December 31, 1942. The candidates must file satisfactory proof of their qualifications for the job before having their name placed on the ballot. The salary for the position will be \$2,000 per year, half of which shall be paid by the State. This Act was repealed by Private Acts of 1945, Chapter 462, Page 1427.
2. Private Acts of 1945, Chapter 462, repealed Private Acts of 1941, Chapter 464, effective on September 1, 1948.
3. Private Acts of 1947, Chapter 456, amended Private Acts of 1945, Chapter 462, by making its repeal of Private Acts of 1941, Chapter 464, effective immediately.

4. Private Acts of 1955, Chapter 103, declared that the County Superintendent of Education in Trousdale County shall be elected for a two year term by a popular vote in the manner and at the time of the general election of other county officials. The salary of the position would be the same as was fixed under the general education law. The Superintendent was allowed to employ one other person to assist in the operation of the office at a salary to be determined by the rules of the general education law. The Superintendent shall make and keep a list of all purchases over \$100 which shall be published in some newspaper. This Act was rejected by the voters of the county which action rendered the Act null and void.

General Reference

The following acts constitute part of the administrative and political heritage of the educational structure of Trousdale 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. Private Acts of 1909, Chapter 494, provided that in Trousdale County, any parent, guardian, or other person legally responsible for the control of any child over eight years of age and under fourteen years of age shall cause that child to attend some public school at least four months or eighty days consecutively each year. Some exceptions were made. Parents could be fined \$1 per day for each day the child was absent. This Act was repealed by Public Acts of 1978, Chapter 716.
2. Private Acts of 1911, Chapter 221, amended Private Acts of 1909, Chapter 494, so as to include Knox County within its provisions. This Act was repealed by Public Acts of 1978, Chapter 716.
3. Private Acts of 1911, Chapter 306, was identical to Private Acts of 1911, Chapter 221. This Act was repealed by Public Acts of 1978, Chapter 716.

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