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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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Table of Contents

Chapter VI - Education/Schools 3
Board of Education 3
Private Acts of 2002 Chapter 140 3
Education/Schools - Historical Notes 3

Chapter VI - Education/Schools

Board of Education

Private Acts of 2002 Chapter 140

SECTION 1. Chapter 378 of the Private Acts of 1947, as amended by Chapter 222 of the Private Acts of 1974, Chapter 90 of the Private Acts of 1977, Chapter 102 and Chapter 118 of the Private Acts of 1983, Chapter 102 of the Private Acts of 1995, Chapter 92 of the Private Acts of 2002, and all other acts amendatory thereto, are hereby repealed.

SECTION 2. Tipton County shall be divided into nine (9) school districts of substantially equal population, which shall be coextensive with the county legislative body districts as established by resolution of the county legislative body from time to time.

SECTION 3. The Tipton County Board of Education (the "board") shall consist of nine (9) members, with one (1) member of the board being elected by the qualified voters in each school district, on a non-partisan basis. Board members shall be elected to staggered four (4) year terms so that every two (2) years the terms of approximately one-half (½) of the members of the board shall expire, with the odd-numbered districts expiring at the same time and the even-numbered districts expiring at the same time. Persons elected in the regular August general elections shall take office on September 1 following the election and shall serve until their successors are duly elected and qualified.

SECTION 4. During the transition from seven (7) members to the nine (9) members provided for in this act, all incumbent board members shall remain on the board until the expiration of their current terms. To establish staggered terms, as provided in Section 3, at the regular August 2002 elections, one (1) board member shall be elected from each of districts 2, 4, 6, and 8 to four (4) year terms, and one (1) board member shall be elected from district 9 to a two (2) year term. At the regular August 2004 elections, one (1) member shall be elected from each of districts 1, 3, 5, 7, and 9 to four (4) year terms. Thereafter, all board members shall be elected to four (4) year terms as each member's term expires.

SECTION 5. The Tipton County Board of Education shall have the same powers, duties, privileges, and qualifications as a board of education established pursuant to Tennessee Code Annotated, Title 49.

SECTION 6. 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 7. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Tipton County. Its approval or non-approval shall be proclaimed by the presiding officer of the county legislative body of Tipton County and certified to the Secretary of State.

SECTION 8. 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 7.

Passed: May 1, 2002.

Education/Schools - Historical Notes

Board of Education

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

1. Acts of 1907, Chapter 391, amended the general law in Acts of 1873, Chapter 25, as it was to be applied to Tipton County. This amending act established a county-wide board of education, to be composed of one member elected from each civil district, the county judge and the county superintendent of public instruction. The act set forth, inter alia, the qualifications of the members; the duties and responsibilities of the board; and how members were to be compensated. This act was repealed by Private Acts of 1911, Chapter 555.
2. Private Acts of 1911, Chapter 555, abolished the then-existing board of education and established the next board of education for Tipton County. It divided the county into seven school districts. Board members were to be elected for a two-year term. The county judge and superintendent of public instruction were also named as members of the board of education. This act was amended

by Private Acts of 1919, Chapter 271, to provide that school board members would be elected only by the voters of their school district.

3. Private Acts of 1923, Chapter 434, and Chapter 669, authorized the board of education to appoint one or more district school directors or custodians of school property, for a term of two years, to see that school property and grounds were properly kept and to report any damages.
4. Private Acts of 1931, Chapter 332, amended the general law to provide that in Tipton County a justice of the peace could be elected to the board of education. This act was repealed by Private Acts of 1933, Chapter 59.
5. Private Acts of 1933, Chapter 47, once again created a board of education comprised of members elected from each of the seven school districts established therein for Tipton County. The members were to be elected by the voters for two-year terms. This act was amended by Private Acts of 1943, Chapter 197, provided that board members would be elected by the quarterly county court to staggered terms of seven years in order to form a rotating board. Private Acts of 1933, Chapter 47, was specifically repealed by Private Acts of 1947, Chapter 382.
6. Private Acts of 1933, Chapter 330, authorized the Tipton County Board of Education, by resolution, to make warrants issued for the operation of its schools bear interest at a rate not to exceed 6% per annum and could limit the amount of time that interest could accrue.
7. Private Acts of 1939, Chapter 248, authorized county boards of education in counties having a population of not less than 27,400 nor more than 27,600 by the 1930 Federal Census to grant pensions to all teachers in the public schools having reached the age of sixty years and taught in the public schools for an aggregate period of at least thirty-five years. The amounts of such pensions were to be fixed by the county board of education, but were not to exceed threefourths of the salary which a teacher was drawing at the time of pension. The funds were to be paid from the school funds of the school level where the majority of the teacher's service was rendered. This act was repealed by Private Acts of 1995, Chapter 92.
8. Private Acts of 1939, Chapter 537, set the compensation of members of the board of education at \$15 per month for the Chairman and \$10 per month for other members.
9. Private Acts of 1947, Chapter 400, required the board of education to maintain the existing four-year high schools at Covington, Brighton and Munford. This act was repealed by Private Acts of 1977, Chapter 44.
10. Private Acts of 1972, Chapter 361, was an attempted amendment of Private Acts of 1947, Chapter 378, but it failed to gain local approval.
11. Private Acts of 1973, Chapter 49, was another attempt to amend the 1947 Board of Education act, by providing that its members be elected by the quarterly county court. This act also failed to win local ratification.
12. Private Acts of 1983, Chapter 102, amended Section 2 of the Private Acts of 1947, Chapter 378, identically as the Private Acts of 1983, Chapter 118. Chapter 118 also amended Sections 4 and 5 of the 1947 act and specifically repealed Chapter 102.
13. Private Acts of 2002, Chapter 92, repealed Private Acts of 1947, Chapter 378, changed the number of school districts and board members from seven (7) to nine (9).
14. Private Acts of 2002, Chapter 140, repealed Private Acts of 2002, Chapter 92.

Superintendent or Director of Schools

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

1. Private Acts of 1933, Chapter 49, provided that the county superintendent of public instruction was to be popularly elected for a two-year term. This act was repealed by Private Acts of 1943, Chapter 191.
2. Private Acts of 1943, Chapter 192, provided that the superintendent of public instruction would be elected by the quarterly county court for a four-year term.
3. Private Acts of 1951, Chapter 122, as amended by Private Acts of 1951, Chapter 364, was an act stating that the Tipton County (designated by the population figures from the 1940 Federal Census) Superintendent of Education was to be elected by popular vote every four years. Any vacancy occurring in the office within a four-year term would be filled by the Quarterly county court for the remainder of the unexpired term. These acts were specifically repealed by Private Acts of 1977, Chapter 41.

4. Private Acts of 1977, Chapter 42, specifically stated that the county superintendent of education of Tipton County was to be elected by popular vote for a term of four years. Any vacancy occurring in the office prior to the expiration of the term would be filled by the quarterly county court. This act was specifically repealed by Private Acts of 1995, Chapter 101.

General Reference

The following acts constitute part of the administrative and political heritage of the educational structure of Tipton County but are no longer operative since they have either been superseded, repealed, or failed to receive local approval.

1. Acts of 1826, Chapter 186, founded the county academy, to be known as "Covington Academy". The Act also set out the powers and responsibilities of the trustees of the academy.
2. Acts of 1853-54, Chapter 290, Sections 1 through 3, established the Portersville Male and Female Academy, naming the initial incorporators as trustees of same. The act set out the powers of the board of trustees, and specified procedure for electing officers, filling vacancies and transacting business.
3. Acts of 1853-54, Chapter 290, Sections 4 through 6, established the Tipton Male and Female Institute, naming the initial incorporators and stipulating that the Institute was to be supervised and controlled by the Tipton Masonic Lodge, No. 226, and to be located in the same building which belonged to the lodge. The powers and authority of the trustees of said Institute were set out in the act.
4. Acts of 1899, Chapter 103, authorized the school directors in the first civil district to purchase a lot in Covington upon which there was to be built a suitable school building for students in the first civil district.
5. Acts of 1903, Chapter 201, established the Oak Hill School District from parts of the seventh and eighth districts of Tipton County.

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