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Private Acts of 1967-68 Chapter 171

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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SECTION 1. That in counties having a population of over 600,000 according to the 1960 Federal Census or any subsequent Federal Census, with the expiration of the terms of office of the present members of the County Board of Education, shall be composed of seven (7) members who shall be elected by the majority vote of the qualified voters of said County residing outside the city limits of any municipality which operates its own public school system. The area outside any such municipality in any county coming under the provisions of this Act shall be divided into seven (7) districts, and the members of the County Board of Education must be residents of the school districts from which they are to be elected. Any member who shall move his residence from the school district in which he is required to reside thereby vacates his office.

SECTION 2. That said County shall be divided into seven (7) school districts as follows:

District 1

Raleigh; Scenic Hills; Woodstock;
Lucy; McConnells; Locke

District 2

Millington; Kerrville

District 3

Eads; Morning Sun; Ellendale;
Bartlett; Brunswick, Arlington;
Stewartsville

District 4

Capleville; Ross' Store; White
Station, Germantown; Forest Hill;
Collierville; Cordova; Mullins

District 5

Whitehaven #3-6-7-9-10

District 6

Levi #4; Whitehaven #1-2-5-8

District 7

Levi #1-2-3-5

SECTION 3. That the terms of office of said members shall be for four (4) years, beginning on September 1st following the General County Election in August of the year in which said members are elected, and they shall serve until their successors are elected and qualified.

In the event of a vacancy in said office of a County School Board member the Quarterly County Court of said County shall appoint a person meeting the same requirements to fill the vacancy, and such person shall serve until the first day of September following the next County General Election held more than thirty (30) days after the vacancy shall occur, at which election there shall be elected a member to serve the unexpired term, and the person so elected shall hold office until the expiration of the term or until his successor is elected and qualified.

SECTION 4. That in order to implement the provisions of this Act and until such time as the present members' terms expire, notwithstanding the other provisions of this Act, the present members of the Board of Education are assigned districts as follows:

District 1 - R. L. Allen

District 2 - Dr. Jean M. Hawkes

District 3 - Blair T. Hunt

District 4 - W. S. Howard

District 5 - Dr. Frank Posey

District 6 - William Wilder

District 7 - Roy Dixon;

and the position each holds and his term of office shall apply to his successor should any member die or resign from office before the expiration of the appointment and term of offices that he presently holds.

SECTION 5. That in order to stagger the terms of office commencing with the expiration of the appointment of the presently serving members of the County Board of Education, the Quarterly County Court shall appoint a member from Districts 1 and 3 to serve from April 1, 1969, to September 1, 1970, and at the General County Election in August, 1970, a member shall be elected for a full term of four (4) years commencing September 1, 1970, from Districts 1 and 3. As the term of office of the presently serving members from Districts 5 and 7 expires April 1, 1970, the Quarterly County Court shall appoint a member from Districts 5 and 7 to serve until September 1, 1970, and at the General Election in August, 1970, a member shall be elected for a full term of four (4) years from September 1, 1970, from Districts 5 and 7.

As the term of office of the member from District 2 expires on April 1, 1971, the Quarterly County Court shall appoint a member to serve until September 1, 1972, and at the General County Election in August, 1972, a member shall be elected for a full term of four (4) years beginning September 1, 1972, from District 2.

As the term of office of the members from Districts 4 and 6 expires on April 1, 1972, the Quarterly County Court shall appoint members to serve from April 1, 1972, to September 1, 1972, and at the General Election in August, 1972, members shall be elected for a full term of four (4) years beginning September 1, 1972, from Districts 4 and 6.

This Act does not and shall not be construed to abolish or alter the present term of any present member of any County School Board.

SECTION 6. That the County Board of Education shall have all the powers and duties conferred by general law upon County Boards of Education, including but not limited to Tennessee Code Annotated Sections 49-214 and 215 and as provided in Chapter 381 of the Private Acts of 1923, as amended, except where said Private Acts, as amended, conflict herewith.

SECTION 7. That with the ratification of this Act by referendum provided for hereinafter, the office of County Superintendent of Board of Education shall be abolished at the expiration of any term of office of any person presently or at that time holding said office, and the executive supervision of the County School System shall be then vested entirely in the County Board of Education, and the County Board of Education shall be charged with the responsibility of performing all duties and powers imposed by law upon the County Superintendent of public instruction.

The Board of Education of such County may at the expiration of the term of the incumbent superintendent employ a school administrator. Such school administrator shall be an employee of the Board of Education, and such administrator and the respective Board of Education, shall enter into a written contract describing his duties, compensation, length of employment and such other terms and conditions of employment as do not conflict with the general law, such contract to be entered into in the same manner in which such Board of Education would enter into a contract with a teacher or other employee of the Board of Education. No such contract shall be for more than five (5) years in duration, however, and no school administrator shall be employed by a County Board of Education unless the educator has been duly certified by the State Board of Education as possessing the proper qualifications, and it shall be the duty of the State Board of Education to make such certification as it may deem appropriate. The County School Administrator shall be a person of literary attainment and experienced in the art of teaching and school education and shall have a certificate of qualification issued by the State Board of Education; provided, that no such certification shall be revoked without a hearing to the holder as provided under the general law of the State of Tennessee.

SECTION 8. That if any provision or clause of this Act or application thereof to any persons or circumstances be held invalid, such invalidity shall not affect the other provisions or applications of the Act which can be given effect with the omission of the invalid provisions or application, and to this end the provisions of this Act are declared severable.

SECTION 9. That this Act shall have no effect unless the same is ratified by the majority of the qualified voters of any county to which it may apply in the August General Election of 1968, and the County Board of Election Commissioners shall call an election in said County to be held in conjunction with the August General Election of 1968 for the purpose of accepting or rejecting the provisions of the Act. The ballots used in such election shall have printed thereon the title of this Act, and the voters shall vote for or against its adoption. The votes cast at such election shall be canvassed by the County Board of Election Commissioners on the first Monday occurring five (5) or more days next after the date of such election, and the result thereof shall be proclaimed by the Board and certified to the Secretary of State. The

qualification of voters shall be those provided by law for preparation in general elections in the State of Tennessee, and all laws applicable to general elections shall apply to an election held as provided herein. Should this Act be ratified by the voters in such election, this Act shall become law on September 1, 1968, and shall be binding upon all parties concerned from that date forward.

SECTION 10. That for the purpose of ratifying this Act as provided in Section 9, it shall take effect upon its passage, the public welfare requiring it, but the other provisions of the Act shall become operative only as provided in Section 9.

Passed: May 16, 1967.

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