



July 22, 2024

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 2002 Chapter 86

SECTION 1. Chapter 157 of the Private Acts of 1923, and Chapter 773 of the Private Acts of 1947, as amended by Chapter 236 of the Private Acts of 1959, Chapter 259 of the Private Acts of 1970, and all other acts amendatory thereto, are hereby repealed.

SECTION 2. Scott County shall be divided into seven (7) school districts of substantially equal population, which shall be established by resolution of the county legislative body of Scott County.

SECTION 3. The Scott County board of education shall consist of seven (7) members, with one member being elected by the qualified voters in each school district. Board members shall be elected to staggered four (4) year terms so that every two (2) years the terms of approximately one-half of the members of the board shall expire. Persons elected in the regular August elections shall take office on September 1 following the election and shall serve until their successors are duly elected and qualified. The current terms of incumbent members of the Scott County board of education shall not be reduced as a result of changes in school districts provided in this act.

SECTION 4. The Scott County board of education shall have the same powers, duties, privileges and qualifications as other county boards of education established pursuant to Tennessee Code Annotated, Title 49.

SECTION 5. 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 this 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 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Scott County by September 1, 2002. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Scott County and certified by such officer to the secretary of state.

SECTION 7. 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 6.

Passed: February 14, 2002.

Oneida School District

Bonds

Private Acts of 1959 Chapter 141

SECTION 1. That the Oneida Independent School District in Oneida, Scott County, Tennessee, as created by Chapter 371 of the Private Acts of 1915, through its School Board members, in regular or special meeting assembled, is hereby authorized and empowered to issue its interest-bearing short term or long term notes in an aggregate principal amount not to exceed One Hundred Twenty Five Thousand Dollars (\$125,000.00) for the purpose of buying additional school land, improving school land, erecting, adding to and equipping school buildings, and to levy a tax or taxes for the payment of same. Said short term or long term notes shall bear interest at a rate of not exceeding four and one half percent (4½) per annum, and shall be in such denominations or payable according to such terms as the Oneida School Board may direct in said resolution authorizing the issuance of said notes; provided, however, that the aggregate amount of said note or notes shall mature within twelve years (12) after the date of issuance and shall be disposed of at not less than par and accrued interest and in such manner as the Oneida School Board may direct.

SECTION 2. That the said notes shall be signed by the Chairman of said Oneida Independent School District, and counter-signed by the Secretary of said School District, and such obligations as may be issued hereunder shall be incontestable obligations of the said Oneida Independent School District.

SECTION 3. That in order to provide funds with which to pay principal and interest of said obligations as

may be issued hereunder, there is hereby levied a continuing annual tax upon all taxable property in said School District sufficient for that purpose, and in the sum of Ninetyfive cents (95¢) on each One Hundred Dollars (\$100.00) worth of Taxable property within the boundary of the Oneida Independent School District, beginning with the year 1959 and continuing until said notes have been paid in full as to both principal and interest; said taxes shall be annually extended and collected by the County Officials of Scott County, Tennessee in the manner provided by the general law for the extension and collection of county taxes. The taxes collected will be paid to the Treasurer of the Oneida Independent School District, who shall place the same in a separate fund which shall be used only for the purposes of paying the principal and interest on the said notes herein authorized to be issued. The said taxes so authorized under this Act shall constitute a lien on the property within said district with like force and effect as do county taxes. The Oneida Independent School District is authorized and required to apply at least one third (1/3) of the Capital outlay received yearly from the State of Tennessee, to the reduction of said notes, and the reduction of same should the tax rate of Ninety-five cents not be required to pay the yearly obligation incurred by issuance of said notes, then the tax rate shall be reduced accordingly and the county (sic) officials so notified of same.

SECTION 4. That the notes herein authorized shall be exempt from all state, county and municipal taxation in the State of Tennessee.

SECTION 5. That all laws or parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and any part of this Act held unconstitutional shall not affect the remaining parts hereof, and said remaining parts shall remain valid.

SECTION 6. That this Act shall not take effect unless the same shall have been approved by a two-thirds (2/3) vote of the Oneida School Board at a called or regular meeting of the Oneida School Board occurring more than 30 days after its approval by the Chief Executive of this State; its approval or non-approval shall be proclaimed by the Chairman of the Oneida Independent School District, Scott County, Tennessee, he being the presiding officer of the Oneida School Board, and the same shall be certified by him to the Secretary of State and upon the certification to the Secretary of State, of the approval of this Act, the same shall take effect from and after the date thereof, the public welfare requiring it.

Passed: March 6, 1959

Private Acts of 1963 Chapter 3

WHEREAS, The Oneida Independent School District in Scott County, Tennessee was recently audited by Chitwood and Coleman of Oneida, Tennessee and at the close of the fiscal year on July 1, 1962 was found to be operating under a deficit of \$35,000, and

WHEREAS, The Oneida Independent School District Board of Education has requested authority to issue bonds, the same to be retired from the proceeds of a special tax levy within such district if approved by the qualified voters within such District,

Now Therefore:

SECTION 1. That the Oneida Independent School District in Scott County, Tennessee, as created by Chapter 371 of the Private Acts of 1915, State of Tennessee, is hereby authorized from time to time to borrow money and issue its negotiable bonds therefor in the aggregate principal amount of not exceeding Thirty Thousand Dollars (\$30,000) to be known as "funding bonds" for the purposes of providing funds for the payment of its operating deficit, including debts and obligations, and the expenses incidental to the issuance of said bonds and any remaining balance to be available for general expenses of said School District. Said bonds shall bear interest at such rate or rates not exceeding five (5%) per cent per annum, payable annually or semi-annually, shall mature serially or otherwise in not exceeding twenty (20) years after date thereof and shall be subject to such terms of redemption, with or without premium, as may be provided by Resolution of the Board of said School District. Said bonds shall be in such form and of such denominations and shall be sold in such manner as the Board may provide by Resolution, but in no event shall such bonds be sold for less than par and accrued interest. The Board is authorized and empowered to do and perform all Acts which may be necessary or desirable in connection with the issuance and sale of said bonds. Said bonds shall be signed by the Chairman of the Board and attested by the Secretary of said Board and the coupons attached thereto shall be signed by the facsimile signatures of said officials.

SECTION 2. That for the purpose of paying the principal of and interest and any redemption premium on the school bonds herein authorized there is hereby levied a continuing annual tax of Fifty (50¢) Cents on each One Hundred Dollars (\$100.00) worth of taxable property in said Oneida Independent School District, beginning with the year 1963 and continuing until said bonds have been paid in full as to both principal and interest. Said taxes shall be annually extended and collected by the County Officials of Scott County in the manner provided by the general law for the extension and collection of county taxes and

shall constitute a lien on the property against which they are levied with like force and effect as do county taxes. The proceeds of said taxes, as collected, shall be placed in a special fund and shall be used solely for the purpose of paying principal of and interest and redemption premiums on the school bonds herein authorized.

SECTION 3. That the bonds herein authorized shall be exempt from all State, County and Municipal taxation in the State of Tennessee.

SECTION 4. That the bonds herein authorized shall not be issued until the issuance thereof has been ordered by a majority of the qualified voters of said district voting in an election called for such purpose by the election commissioners of Scott County pursuant to the request of the Board of said District. Such election shall be held in the same manner and by the same officials as general elections are required to be held in Scott County and notice thereof shall be given at least twenty (20) days prior to the date of said election by publication of an appropriate notice not less than one time in a newspaper of general circulation in such District. At such election the ballot shall state briefly the maximum amount of bonds to be authorized and the purpose for which such bonds are to be authorized and shall contain the words "for the issuance of bonds" and "against the issuance of bonds." Opposite each of said phrases shall be a hollow square and the elector shall indicate his vote "for the issuance of bonds" or "against the issuance of bonds" by inserting a mark in the square opposite the appropriate phrase. The election commissioners of Scott County shall canvass the returns of such election and determine and declare in writing the results thereof. Such declaration shall constitute conclusive evidence of the results of said election.

SECTION 5. That said operating deficit, including debts and obligations incurred, is hereby validated and declared to be valid obligations of said Independent School District, and declared to have been incurred in the operation of the District's Schools, and necessary for the operation of said schools.

SECTION 6. That if any one or more provisions of this Act or the application thereof to any person or circumstances shall ever be held by any Court of competent jurisdiction to be invalid, the remaining provisions hereof and the application thereof to persons or circumstances other than those which it is held to be invalid shall not be affected thereby.

SECTION 7. That all laws or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 8. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 17, 1963.

Private Acts of 1990 Chapter 147

SECTION 1. The Oneida Special School District, Scott County, Tennessee, created by Chapter 371 of the Private Acts of 1915, is hereby authorized to borrow money and issue its bonds therefor in the aggregate principal amount not exceeding one million five hundred thousand dollars (\$1,500,000) for the purpose of acquiring, constructing, improving, repairing and equipping schools and additions thereto for the school district, and acquiring all property, real and personal, appurtenant thereto or connected with such work. The bonds shall bear interest at a rate or rates not exceeding ten percent (10%) per annum, payable annually or semiannually, and shall mature serially or otherwise in not exceeding twenty (20) years after the date thereof, as may be provided by resolution of the board of education of the school district. The bonds shall be in such form and of such denominations, may be made subject to redemption prior to maturity, with or without premium, and shall be sold as a whole or in part from time to time in such manner as the board of education shall provide by resolution, but in no event shall such bonds be sold for less than par value plus accrued interest. The board of education is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and sale of the bonds. The bonds shall be signed by the chairman of the board of education and attested by the secretary of the board in such manner as the board of education shall provide by resolution.

SECTION 2. For the purpose of paying the principal of and interest and any redemption premiums on the school bonds herein authorized, there is hereby levied a continuing annual tax of seventy cents (70¢) on each one hundred dollars (\$100) worth of taxable property in the Oneida Special School District, beginning with approval of this act as provided in Section 5, and continuing until the bonds have been paid in full as to both principal and interest. The taxes shall be annually extended and collected by the county officials of Scott County in the manner provided by the general law for the extension and collection of county taxes and shall constitute a lien on the property against which they are levied with like force and effect as do county taxes. The proceeds of the taxes, as collected, shall be placed in a special fund and shall be used solely for the purpose of paying principal of and interest and any redemption premiums on the school bonds herein authorized.

SECTION 3. The bonds herein authorized shall be exempt from all state, county and municipal taxation in the State of Tennessee.

SECTION 4. Before any bonds are issued and sold by the district, there shall be an election held in such district by the Scott County Election Commission. Within thirty (30) days after the school board adopts a resolution in accordance with this section, the Scott County Election Commission shall call an election for the Oneida Special School District, to be held not less than forty-five (45) days nor more than sixty (60) days from the call. All qualified voters of the Special School District and all nonresident property owners in the Special School District shall have the right to vote in the election and there shall be placed upon the ballot used in such election, the language:

For the issuance of bonds in an amount not to exceed one million five hundred thousand dollars (\$1,500,000) and for an increase of seventy cents (70¢) in the property tax rate to pay for such bonds. and the language:

"Against the issuance of bonds in an amount not to exceed one million five hundred thousand dollars (\$1,500,000) and against an increase of seventy cents (70¢) in the property tax rate to pay for such bonds.", so that the voters in such election shall vote for or against the issuance of such bonds as they may desire. It shall be the duty of the Scott County Election Commission to call and hold such election upon a resolution adopted by the Board of Education of such special school district and filed with the Election Commission. If such resolution is not adopted within ten (10) business days of the effective date of this act, then this act shall be null and void. The votes cast on the question shall be canvassed and the results proclaimed by the County Election Commission and certified by it to the Secretary of State as provided by law in the case of General Elections. The qualifications of voters voting on the question shall be the same as those required for participation in General Elections. All laws applicable to General Elections shall apply to the determination of the approval or rejection of this act. The cost of the election shall be paid by the district.

SECTION 5. In any election held under this act in which a majority of the voters voting in such election vote for the issuance of such bonds, it shall be the duty of the Special School District Board of Education to issue and sell such bonds in accordance with the provisions of this act.

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 take effect upon becoming a law, the public welfare requiring it.

Passed: March 12, 1990.

Private Acts of 1993 Chapter 72

SECTION 1. The Oneida Special School District is authorized to refinance the one million five hundred thousand dollars (\$1,500,000) of indebtedness authorized by and subject to the provisions of Chapter 147 of the Private Acts of 1990. Notwithstanding the provisions of such act to the contrary, the amount of the refinanced indebtedness may exceed one million five hundred thousand dollars (\$1,500,000) if the tax rate provided in Chapter 147 generates sufficient revenue to repay such indebtedness and the expenses of such refinancing.

SECTION 2. Any funds in excess of one million five hundred thousand dollars (\$1,500,000) which become available as a result of refinancing indebtedness in accordance with the provisions of Section 1 shall be expended for the construction and equipping of new facilities in such district.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: May 10, 1993.

Private Acts of 1994 Chapter 139

SECTION 1. The Oneida Special School District, Scott County, Tennessee, created by Chapter 371 of the Private Acts of 1915 and Chapter 178 of the Private Acts of 1975, acting by resolution of its board of education, is hereby authorized to borrow money and issue and sell its interest-bearing notes and/or bonds for the purpose of refinancing existing obligations and/or acquiring, constructing, improving, repairing and equipping schools, and additions thereto for the school district and acquiring all property, real and personal, appurtenant thereto or connected with such work. The maximum principal amount of bonds and/or notes authorized to be issued shall not exceed \$1,000,000 plus the amount necessary to refinance such existing obligations, plus the costs of such refinancing and the issuance and sale of the

notes and/or bonds. The notes and/or bonds shall be sold for not less than ninety-eight percent (98%) of par plus accrued interest. The notes and/or bonds may be sold in one (1) or more series, may bear such date or dates, may bear interest at such rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denomination or denominations, may be in such form, either coupon or registered, may be payable at such place or places, may be executed in such manner, may be payable in such medium of payment, and may be subject to such terms of redemption, with or without a premium, all as may be provided by resolution of the board of education of the school district. The notes and/or bonds may be sold in such manner either at a competitive public sale or at a private negotiated sale as the school district may direct. The Board of Education of the school district is authorized and empowered to do and perform all acts and enter into all agreements which may be necessary or desirable in connection with the issuance and a sale of the notes and/or bonds. The notes and/or bonds shall be signed by the chairman of the board of education of the school district and attested by the secretary in such manner as the Board of Education shall provide by resolution. No public referendum or election of the voters of the school district shall be necessary in order for the school district to issue and sell the notes and/or bonds authorized herein.

SECTION 2. For the purpose of paying principal on and interest and any redemption premium on the notes and/or bonds herein authorized, the school district may pledge any and all revenues, receipts, grants, gifts or other funds which may be paid to or come into the school district from time to time, unless such pledge is otherwise prohibited by law.

SECTION 3. Any notes and/or bonds issued pursuant to the provisions of this act and the income therefrom shall be exempt from all state, county and municipal taxation in the State of Tennessee, unless otherwise provided by applicable law.

SECTION 4. So long as any of the notes and/or bonds shall remain outstanding and unpaid, the tax levied by authority of Chapter 147 of the Private Acts of 1990, shall continue to be levied at the rates set forth in Section 2 of such act, to be used solely to pay principal, premium, if any, and interest on the notes and/or bonds and any other obligations of the district now outstanding or which may hereafter be issued pursuant to lawful legislative authorization. Such taxes shall continue to be collected by the Trustee of the County, as other taxes are collected, and kept in a separate account from all other funds belonging to the district to be used for the purposes set forth herein. Such taxes shall constitute a lien on the property against which they are levied with like force and effect as do county taxes. The Board of Education of the district is authorized to pledge such taxes as necessary to pay the principal, premium, if any, and interest on the notes and/or bonds.

SECTION 5. The district is further authorized to issue at any time in accordance with the terms hereof bonds and/or notes to refund any bonds and/or notes issued hereunder.

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 any 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 take effect upon becoming a law, the public welfare requiring it.

Passed: March 9, 1994.

Private Acts of 1975 Chapter 178

SECTION 1. There is created in Scott County an independent, special school district to be known and designated as the Oneida Special School District empowered to operate a public school system comparable to those operated by counties under existing and future state laws and encompassing the area within the following lines and boundaries:

Beginning at the first mile post on the C.S.R.R. north of where Charles Marcum lives, thence northwardly and westwardly with the top of a ridge dividing the waters of Bear Creek and Pine Creek to a point in wagon road known as the narrows, northeast of where Lucy Banks Buell lives. Thence with the top of a ridge dividing the waters of Williams and Pine Creek to a point in wagon road, east of what is known as John Fosters' place, thence southwardly to a point in wagon road where John Coffee and Jessie Burchfield's land joins, thence southwardly in a direct line to a point in the S.C. Railroad where Joe Marcum's and W.F. Thomas' line joins, thence southeastwardly to Linday's Ferry, including his place, thence southwardly to the top of a ridge dividing Paint Rock and Pine Creek, thence following top of said ridge northwardly and eastwardly to a point in the Buffalo Road at the top of hill, known as Dick Smith's Hill. Thence eastwardly with said wagon road to a point where the wagon road leading from Nick Stanley's intersect (sic) the Buffalo road; thence northwardly in a direct line to the place of beginning. The inhabitants of the described area shall be and constitute the inhabitants of the Oneida Special School

District and for the purposes of this Act, shall be and are hereby constituted a body politic and corporate, clothed with all powers and entitled to all the privileges and advantages of said Oneida Special School District.

SECTION 2. A Board of Education, composed of five (5) members, all of whom shall be more than twenty-one (21) years old and bona fide residents of and qualified voters in the Oneida Special School District, is created and established for the Oneida Special School District, which Board of Education shall have the management and control of the public schools therein, under such rules and regulations as such boards are empowered to make. The members of the Board of Education shall be elected by the qualified voters of the Special School District, at the August General Election, to take office on September 1 following their election and shall hold their offices for four (4) years and until their successors are elected and qualified. The first Board of Education of the Oneida Special School District, which is hereby constituted and appointed, shall consist of the following named persons, to-wit: Dr. Milford Thompson, Robert Wright, Dr. A. K. McCartt, Vester Blevins and L. E. Stanley, each of whom, upon qualification, shall continue as such member of said Board of Education, as follows: the said Dr. Milford Thompson and Robert Wright shall serve until September 1, 1976, and Dr. A. K. McCartt, Vester Blevins and L. E. Stanley shall serve until September 1, 1978, and all until their successors are elected and qualified.

In the event of a vacancy among the members of said Board of Education who are herein appointed or elected by the voters of the Special School District as above provided, the remaining members of the Board of Education shall have the power to fill, and shall fill, such vacancy by appointment, and such appointee shall hold office until the next regular biennial election, and until a successor is elected and qualified.

SECTION 3. The Board of Education shall organize by electing a chairman, a vicechairman, a secretary-treasurer, all of whom shall be members of the said Board. Upon such an organization being perfected, the Board of Education shall proceed with its duties of managing and controlling the schools in the special school district under the powers herein given.

SECTION 4. The management and control of the schools within the special school district shall continue from the present time until June 30, 1975, in the hands of the present Board of Education of the Oneida Independent School District as now constituted and that all funds belonging to said Oneida Independent School District, as now constituted, on June 30, 1975, shall be transferred to the Board of Education of the Oneida Special School District as created hereunder. All taxes heretofore levied for the benefit of said Oneida Independent School District, as now constituted, but now (sic) collected by June 30, 1975, shall, when collected, be credited to the Oneida Special School District as created hereunder.

SECTION 5. The members of the Board of Education shall serve without compensation, but provision and allowance may be made for payment for reasonable and actual expenses incurred in the performance of their duties.

The Board of Education shall prescribe the rules and regulations for its government, and shall meet at such stated intervals as may be prescribed by its rules and regulations, and may hold such special meetings as may be necessary or advisable, of all which special meetings all members shall have the notice prescribed by its rules and regulations.

The Secretary-Treasurer of the Board of Education shall enter into bond with proper conditions, sufficient to cover the school funds belonging to the Oneida Special School District which may be received, the amount of the penalty of which bond shall be determined by the Board of Education, and the bond shall be payable to the state of Tennessee for the use and benefit of the Oneida Special School District, and such bond shall be approved by and filed with the Chairman of the Board of Education.

The Secretary-Treasurer of the Board of Education shall keep a true and correct record of all meetings and business transactions of the Board, and shall perform such other duties as may be required from time to time by the Board. The Secretary-Treasurer of said Board of Education shall keep a true and correct amount of all monies received and disbursed, and shall perform such other duties as may from time to time be required by the Board.

All necessary books, blank forms and stationery for the proper keeping of records by the Secretary-Treasurer shall be provided by the Board and paid for as an expense incident to the management, control and maintenance of said schools, and all such books, records and other papers in connection with the administration of said schools shall be carefully preserved by the respective officers keeping same, and upon the expiration of their terms of office, shall be delivered to their successors.

SECTION 6. The Board of Education, a majority of which shall at all times constitute a quorum for the transaction of business, shall have all the powers usually incident to and belonging to boards of education of counties and municipal corporations, and shall have full power as trustee or directors to manage and control the public schools of the Special School District, and the Board of Education shall make, or cause

to be made, and properly verified and certified, all necessary and proper reports of scholastic population, average daily attendance, and other statistical data with reference to the schools of the District, to the county trustee, county school superintendent and state commissioner of education, all as required by and in accordance with the general laws of the state governing the management and control of public schools of the state, of the class and character contemplated by this Act. The Board of Education shall prescribe all reasonable and necessary rules and regulations for the management, government and control of such schools, and shall employ such superintendents, teachers, and other personnel as may be necessary in their conduct and management.

SECTION 7. The County Trustee of Scott County, from and after July 1, 1975, shall apportion to the Oneida Special School District, for the management of the schools therein provided for, the pro rata share of all school funds in his hands, to which the Oneida Special School District is entitled, which apportionment, as between said Oneida Special School District and the remainder of Scott County, shall be made each year in proportion to the average daily attendance in the schools provided for in the Special School District, in the same manner that apportionments on basis of average daily attendance for the previous year are made among the several counties and other subdivisions of the state, in the apportionment of the public school funds under the general school law. In the event that the basis of apportionment of school funds shall be, by subsequent legislation, changed, the apportionment under this Act will conform to the general law governing apportionments, so that the Special School District shall at all times receive the apportionment and pro rata of the public school funds to which it is by law entitled. And this apportionment shall apply not only to the pro rata share of any and all school taxes assessed and collected locally by Scott County under general law, but also the pro rata share of said Special School District in the state school funds paid over to said County Trustee by the state pursuant to law.

SECTION 8. The Board of Education shall have the authority to enter into contracts for the rental, purchase, or construction of school buildings and for the sale, exchange, rental or purchase of real estate to be used for school purposes, payments due under such contracts to be made by the Board of Education from the funds available to it.

SECTION 9. For the purpose of supporting, maintaining and for debt service fund requirements of the schools of the Special School District, and for the purpose of supplementing the school funds as now provided by law and available for the benefit of the inhabitants of the Special School District, there is hereby assessed for the year 1975, and for each subsequent year thereafter, a special tax of thirty-five cents (35¢) on each one hundred dollars (\$100.00) of taxable property, both real and personal, situated within the boundaries of the Oneida Special School District. The basis of assessment on such property shall be the assessed value as shown by the books of the County Trustee, and the taxes assessed on real estate shall be a lien thereon. The taxes herein assessed shall become due and be collected at the same time and in the same manner as other taxes under the general laws of the state by the County Trustee, and the special taxes herein provided for, together with all school funds received from the County Trustee shall constitute the school fund for the said Special School District, which school fund shall, from time to time, as collections and apportionments are made, be paid over to the Treasurer of the Board of Education of the Special School District, or as the Board of Education of the Special School District may direct, by the county trustee, and shall be under the control of the Board of Education for the use and benefit of the Special School District, and for the maintenance and operation of the schools therein provided for and for no other purpose. No part of the school fund shall be paid out by the Treasurer of the Special School District or otherwise, except upon and by the order of the Board of Education upon warrants properly drawn and signed by its Chairman or Vice Chairman and Secretary-Treasurer. The separate tax list and assessment roll for the Oneida Special School District of Scott County shall be used by the County Trustee in making the collection of such taxes.

As amended by: Private Acts of 1979, Chapter 141

SECTION 10. The branches of study designated and prescribed in the general school laws of the state of Tennessee shall be taught in the schools of the Special School District, and such schools shall be open to all children residing in the Special School District, who are legally entitled to attend the same under the school laws of the state.

The Board of Education of the Special School District shall have the power to, and may, admit by contract to the schools of such District persons over school age or nonresident of the Special School District, upon terms and under such regulations as may be prescribed for such persons. Any tuition under this clause shall be paid to the Treasurer of the Board of Education for the use and benefit of the Special School District, and shall be expended and paid out as other school funds collected and received for the maintenance and operation of schools.

SECTION 11. The Board of Education of the Special School District hereby created and provided for shall not be under the direction or control of the County Board of Education, or of the county school superintendent of Scott County, but its policy shall be in harmony with the general system of public

schools of the state, and all necessary and proper reports, properly verified and signed, shall be made, and full cooperation with the public school system of this state shall be observed, in harmony with the general school law, as other special districts are maintained.

SECTION 12. Any bonds heretofore issued for the use and benefit of the Special School District established by Chapter 371 of the Private Acts of 1915 and amended by Chapter 835 of the Private Acts of 1929 and Chapter 665 of the Private Acts of 1935 are validated and confirmed and the liability for the payment of principal and interest on such bonds shall attach to the Special School District created herein.

SECTION 13. Chapter 371 of the Private Acts of 1915, Chapter 835 of the Private Acts of 1929 and Chapter 665 of the Private Acts of 1935, are repealed.

SECTION 14. If any section, part of section, or provision of this Act shall be ascertained to be unconstitutional, the invalidity of such section, part of section or provision, shall not impair the validity of the remainder of the Act, and to that end, the provisions of this Act are declared to be severable.

SECTION 15. This Act shall take effect July 1, 1975, the public welfare requiring it.

Passed: May 19, 1975.

Teachers

Tenure

Private Acts of 1939 Chapter 391

SECTION 1. That in all counties of the State of Tennessee having a population of not less than 14,080 nor more than 14,090, according to the Federal Census of 1930 or any subsequent Federal Census, that teachers in the public schools of said counties who are qualified under the provisions of this Act shall be employed on continuing contract. For the purpose of this Act "teacher" shall be defined to include teachers, principals, assistant principals, supervising principals, supervisors and visiting teachers of all public elementary and high schools of independent and county school systems of the State of Tennessee.

A teacher on indefinite tenure who becomes superintendent of the system in which he has indefinite tenure shall not relinquish his tenure status, and provided further that time served as superintendent of schools may be used to determine tenure status.

SECTION 2. That a beginning teacher shall serve a probationary period of three years during which he is employed on annual contract. Following the probationary period, if the teacher is re-employed for the fourth consecutive year and said teacher holds a permanent professional certificate or a teacher with a B.S. degree and a certificate for the grade or subjects taught, the teacher shall be on indefinite tenure and shall not be dismissed except for incompetency, immorality or willful and persistent refusal to obey any reasonable rules or regulations of the Board of Education and superintendent.

Provided, however, that nothing in this bill shall be construed to prohibit any County Superintendent or Board of Education or other employing agency from suspending from the school system any married teacher who becomes pregnant while in the system, for the remainder of the school year during which such pregnancy occurs and for one year thereafter. Provided further, however, that upon the termination of such period of suspension such teacher may reenter the school system and claim her status under the tenure bill with all the rights incident to such status just as though she had never been suspended. Provided further, that the teacher employed to substitute for such person during such suspension shall only be employed only for the time the regular teacher is absent from her duties. Any teacher who is employed on April 1, 1968 and has served the probationary period as set out in this Section shall be placed on indefinite tenure.

As amended by: Private Acts of 1967-68, Chapter 392

SECTION 3. That teachers who are now and have been employed for four or more consecutive years in their present school systems and who are otherwise qualified by law shall be deemed to be on indefinite tenure. Those now employed who have not served four or more years and who are otherwise qualified by law shall be deemed to be on indefinite tenure upon reemployment for the fourth consecutive year.

SECTION 4. That a teacher may be dismissed without cause if the position which that teacher holds is eliminated and there is no vacancy for which he or she is qualified. In the event a position is eliminated, the teacher of shortest length of service in that position shall be dismissed first, but the teacher so eliminated shall have first claim to any vacancy for which he is qualified.

SECTION 5. That any teacher charged with incompetency shall before dismissal be given a warning with

specific statement in writing of defects. If the teacher fails to make satisfactory improvement in the matters specified in the warning, the superintendent may give the teacher a notice of dismissal as hereinafter provided.

SECTION 6. That any teacher shall be given thirty (30) days notice of dismissal containing specific statement of grounds of dismissal, and conversely a teacher shall give thirty (30) days notice of intention to relinquish his or her position. If the teacher fails to give thirty (30) days notice as required, he shall be subjected to a penalty of a sum which bears the same ratio to the monthly salary of the teacher as the number of days for which notice was not given bears to thirty (30). Said penalty may be deducted from any unpaid salary or collected by judgment.

SECTION 7. That the superintendent of schools shall have the right to suspend any teacher pending hearing of charges of immorality.

Provided, further, that upon written request by the teacher on or before the 15th day of the thirty (30) day period following notice of dismissal the teacher shall be given a public hearing, unless private hearing is agreed upon by the parties, by the board of education, or the Board of Commissioners, or other employing agency if there is no board of education of the school system in which said teacher is employed, said hearing shall not be sooner than the 16th nor later than the 30th day of the thirty (30) day period following notice of dismissal. Provided further, that at such hearing the teacher shall be entitled to be represented by counsel and to have subpoenas issued by the Board of Education for the production of witnesses and records. for the production of witnesses and records. (sic)

Provided further, that any teacher dismissed shall have the right to have such dismissal reviewed under Code Section 9008 et seq.

Provided further, That if on final disposition of the case the teacher is not dismissed, he shall receive any back pay for any period of suspension.

SECTION 8. That if any section, subsection, clause or phrase in this statute is for any reason held to be unconstitutional, such unconstitutionality shall not affect the remaining portions of the statute. The Legislature declares that it would have passed this statute and each section, subdivision, clause, phrase and sentence thereof, irrespective of the fact that any one or more of such sections, subdivisions, clauses, phrases or sentences be declared unconstitutional.

SECTION 9. That upon approval of the county superintendent or county board of education or other employing agency of said county any school teacher may be granted one year's leave of absence from his or her duties of teaching when shown to the satisfaction of the county superintendent or county board of education or other employing agency that said teacher desires to further his educational work, and during said period of absence said teacher shall not lose his status as defined in this tenure bill. Provided, further, that any person employed to substitute for such person during his leave of absence, said employment shall only be for the time the regular teacher is absent from his duties.

SECTION 10. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 2, 1939

Education/Schools - Historical Notes

The following is a summary of acts which authorized boundary changes for Scott County.

1. Acts of 1853-54, Chapter 181, Section 9, changed the lines between Scott and Fentress counties so as to include all the possessions of Belfield Moore in Fentress.
2. Acts of 1855-56, Chapter 156, Section 1, moved the farms of James Ball, James Walden, Jesse T. Lay and Leander Herd into Campbell County; Section 3 changed the lines between Scott, Morgan, and Fentress Counties as the survey run by Riley Long required, making his survey the permanent boundary lines; Section 4, moved all the lands of Ewel Smith into Scott County from Campbell County.
3. Acts of 1857-58, Chapter 36, Section One, provided that the line run by Stanfield from Ewell Smith's to William Massengill's be, and the same is, hereby established as the dividing line between the said counties of Campbell and Scott so as to include all the citizens west of the said line in Scott County, and who would enjoy all the rights and privileges as other citizens.
4. Acts of 1857-58, Chapter 129, Section 1, detached the farms belonging to William Young and Elisha Chaney from Scott County and placed them in Morgan County.
5. Acts of 1859-60, Chapter 135, Section 2, provided that the county line between Fentress and

Scott County be so changed that commencing at the north of Scull Creek on the Clear Fork, it shall run thence down the river to the south fork, to the mouth of Honey Creek at the old county line. Section Three of the same act transferred the dwelling house, and the tract of land on which it stands, of A. H. Cross from Scott County into Morgan County.

6. Acts of 1866-67, Chapter 9, Section 3, changed the lines between Campbell and Scott Counties so as to include all the lands belonging to John Patterson, Austin L. Keath, William Cross, William Keatherly, John McGee, Henry Goodman, James McGee, William Thompson, and the farm, formerly owned by Ewel Smith, but now the property of Riley and Jacob Queener, in Campbell County.
7. Acts of 1867-68, Chapter 60, Section 4, moved the properties of Henry Thompson, and the lands and residence of Ewel Smith, Riley and Jacob Queener, which is now owned by John E. Hudson and Isaac Neal, from Campbell County back into Scott County. Section 5 of the same act transferred the residence and farm of Wesley Buttram from Fentress County into Scott County.
8. Acts of 1868-69, Chapter 43, Section 6, detached the lands belonging to Dempsey Massengale from Morgan County and attached them to Scott County.
9. Acts of 1870, Chapter 84, transferred the lands of William A. Cross and Levi L. Adkins from Campbell County into Scott County.
10. Acts of 1873, Chapter 71, changed the lines between Campbell and Scott counties so as to include the farm of William Trammell in Scott County provided the action did not reduce Campbell County below the constitutional limits.
11. Private Acts of 1873, Chapter 75, transferred from Anderson County into Scott County all the farms belonging to Jordan Massingal, Huston Carroll, Greebery West, William Carroll, and Alexander Low, under the same provision as above.
12. Acts of 1873, Chapter 99, moved the farms and residences of John Low, Jr., and William Keathaley from Campbell County into Scott County under the same conditions.
13. Acts of 1879, Chapter 137, Section 10, changed the lines between Scott and Campbell so as to include all the lands of J. Q. Cross in Scott County.
14. Acts of 1883, Chapter 51, altered the boundaries between Scott, Anderson, and Campbell Counties so that the lands of Richmond Kennedy would be included wholly within Campbell County.
15. Acts of 1883, Chapter 100, moved all the lands belonging to John Lay and John Lawdermilk, as they were described in the Act from Campbell County into Scott County.
16. Acts of 1883, Chapter 195, detached the farm of Milton S. Cross from Campbell County and attached the same to Scott County consisting of about 200 acres on Straight Fork Creek.
17. Acts of 1885, Chapter 60, repealed the 6th Section of an Act passed March 14, 1868 which changed the lines between Smith, Putnam, and Dekalb Counties, and for other purposes, and the line between Scott and Morgan counties was reestablished as it was before passage of the act. This must refer to Item 8, above.
18. Acts of 1887, Chapter 46 transferred all the properties belonging to Bart Neal, W. C. Adkins, and Peter Adkins out of Campbell County and into Scott County.
19. Acts of 1889, Chapter 21, detached the farms and residences of John B. Young and Solomon Young from Morgan County and attached them to Scott County.
20. Acts of 1897, Chapter 257, is an exact duplicate of Acts of 1897, Chapter 217, which is published herein.
21. Acts of 1897, Chapter 278, moved the lands of Calvin Allen and David Lay out of Scott County and into Campbell County.

Board of Education

The following acts once affected the board of education in Scott County but are no longer operative.

1. Acts of 1899, Chapter 279, authorized the Quarterly County Court to establish and maintain county high schools when, in their opinion, the best interests of the people require it, and, for that purpose could levy a tax for schools up to fifteen cents per \$100 property valuation. The County Board of Education would be composed of seven members with staggered three year terms who would manage the schools. There would be at least three teachers for every high school and ordinary subjects would be taught in them. The Board was empowered to locate the said schools which could be consolidated with other high schools, but be under the supervision of the County

- Superintendent. The Board was further authorized to admit non-resident pupils but they must pay a tuition charge in an amount determined by the Board.
2. Private Acts of 1917, Chapter 558, amended Private Acts of 1899, Chapter 279, above, by adding a provision to Section 3 which would set the compensation of members of the Board of Education in Scott County at not less than \$1.50 nor more than \$3.00 per day for each day spent on the business of the Board, limited to 20 days per year.
 3. Private Acts of 1933, Chapter 764, made it unlawful in Scott County for any member of the County Court to teach school or make any contract with the Board of Education, and it was unlawful for the Board to approve or to make a contract with any Justice of the Peace of Scott County to run school busses or to buy or sell any kind of materials. The fines for violators ranged from \$10 to \$50 for each offense.
 4. Private Acts of 1947, Chapter 773, created a seven member Board of Education for Scott County who would be elected by the people at large for six year terms. They shall be elected at the August, 1948, election, the three getting the highest number of votes will serve 6 years, the next two getting the next highest vote for four years, and the others for two years. Present members of the Board will continue to serve until the election is over and others are ready to assume office. Section 2 set up the qualifications for the Board members among which was the requirement of a high school diploma, or its equivalent. No member of the County Court could serve as a Board member. The Board would employ people upon the recommendation of the County Superintendent of Instruction. The Board could refuse to hire these people but could only ask for more recommendations. The County Superintendent would assign all personnel to their jobs. The Chairman of the Board will get \$200 per year, and members of the Board would get \$100 per year for their services. This Act also repealed Private Acts of 1923, Chapter 157; however, the Supreme Court declared all of Private Acts of 1947, Chapter 773, to be unconstitutional which rendered it and all the provisions therein null and void. This was declared in the case of Phillips v. West, 187 Tenn. 57, 213 S.W.2d 3 (1948). The grounds were that the requirement for members of the Board of Education in Scott County to have a high school diploma exceeded the requirements of the general law and was therefore discriminatory. Further, that the condition imposed upon the employment of personnel by the Board of Education that they be recommended by the Superintendent also exceeded the demands of the general law and were therefore discriminating against members of the Scott County Board, whereupon the Court declared the entire Act unconstitutional since the invalid Sections could not be elided from the act. This would restore the former act, Chapter 157, Private Acts of 1923, to efficacy, it would appear.
 5. Private Acts of 1959, Chapter 236, amended Private Acts of 1947, Chapter 773, by striking Section 5 and inserting a new Section 5 which fixed the compensation of members of the Board of Education at \$10 per day for their attendance at meetings but was limited to \$200 per year. The Chairman of the Board would receive \$25 per month, all to take effect at the beginning of the next term of the members. (This Act amended the unconstitutional Act which would seemingly render it useless.)
 6. Private Acts of 1970, Chapter 259, amended Private Acts of 1947, Chapter 773, as amended by Private Acts of 1959, Chapter 236, by adding a new Section 5 which would pay the reasonable expenses of each member of the Board of Education incurred in the performance of their duties and as may be provided in the budget. Each member would also receive \$50 per month and the Chairman an additional \$25 per month. (Our information is that this Act was not acted on by the Quarterly County Court and therefore never became a law under the Home Rule Amendment to the State Constitution.)
 7. Private Acts of 2002, Chapter 86, repealed Private Acts of 1923, Chapter 157, as amended by Private Acts of 1947, Chapter 773, Private Acts of 1959, Chapter 236, and Private Acts of 1970, Chapter 258.

Huntsville School District

The following acts were applicable to the Huntsville School District.

1. Private Acts of 1911, Chapter 574, created the special and independent Huntsville High School District in Scott County whose boundaries are set out in a metes and bounds description in the act. The District shall be governed by a five member Board of Trustees who are constituted a body corporate and politic. The members must be residents of the District, of good moral character, 30 years of age, or older, a freeholder or householder, and possess at least a common school education. They would fill their own vacancies. The Board may hire and fire teachers, make all essential rules and regulations, and do all other things necessary to effectuate the purposes of this act within the framework of the powers enumerated. The County Trustee shall pay the District

their pro rata share of the school funds according to the scholastic population of the county which these Trustees and others are required to furnish. The branches of study shall be comparable to other high schools and shall be open to all white children of both the district and the county who are otherwise qualified to attend. The Board shall devise reasonable tuition rates for other students. A special tax levy of five cents per \$100 would go into the "Huntsville High School Fund" for school purposes. The first Board was made up of M. F. McDonald, Sanders Foster, James F. Baker, W. H. Buttram, and James A. Griffith, all of whom would serve staggered terms.

2. Private Acts of 1915, Chapter 275, amended Private Acts of 1911, Chapter 574, above, by striking all of Section 2 and inserting a new Section 2 which recreated the five member Board of Trustees for the Huntsville High School District. This Board would consist of M. L. McDonald, the Superintendent of County Schools, W. H. Buttram, James F. Baker, James A. Griffith, W. H. Potter, J. M. Griffith, James T. Foster, and T. N. Scates, the County School Superintendent being an ex-officio member. Provisions are included which established staggered terms for members of the Board and there is a general enumeration of their powers. The minimum tax levy rate was increased from five cents to ten cents per \$100 valuation. It is presumed that this school district fell to Public Acts of 1925, Chapter 115, which turned over all school districts which were not taxing districts to the county systems.

Oneida School District

The acts listed below had some bearing on the Oneida School District at some time but apparently are no longer in effect.

1. Private Acts of 1915, Chapter 371, created the Oneida Special School District with a metes and bounds description of the area included in it. Five Trustees, who are named in the Act, will govern the institution and be organized as specified by naming a President, Secretary, and Treasurer. The Trustee shall turn over to them the pro rata share of school funds. The branches of study now required and permitted to be taught in other schools shall be taught in the District. All white students who are residents, qualified, and eligible shall be admitted as students and the Board may admit others upon payment of reasonable tuition rates. A special school tax of ten cents per \$100 property valuation was levied for the support and maintenance of the schools. The school district shall be under the general supervision of the State and County Superintendent. This Act was specifically repealed by Private Acts of 1975, Chapter 178. See *Oneida High School v. Scott County Board of Education*, 145 Tenn. 311, 237 SW 53 (1921).
2. Private Acts of 1919, Chapter 476, authorized the Trustees of the Oneida School District to issue coupon bonds in an amount not to exceed \$40,000, at an interest rate not to exceed 6% and for a maturity period not to exceed 20 years. The entire amount of bonds shall not exceed 10% of the taxable value of property located within the school district and none shall be issued until approved by a majority of voters voting in a special referendum for that purpose. The bonds shall be used to acquire land and construct a school building and dormitories. Details of the election and of the bond issue, if the election is successful, are provided, and the form of the bond is written into the law. A tax levy of ninety cents per \$100 of property valuation is authorized to be levied within the bounds of the school district, as described, of which forty cents to the liquidation of the principal. The tax, if unpaid, will constitute a lien on the property. The powers and duties of the President of the Board of Trustees are enumerated in a general fashion in Section 8 of this law.
3. Private Acts of 1923, Chapter 61, authorized the Quarterly County Court of Scott County to levy, at the time of levying the other taxes for the county, a special school tax of two and one-half mills on each dollar of taxable property for the purpose of building and equipping a High School building in the Oneida Independent School District. The County Trustee would collect the tax and keep it in a separate fund. The School Board for the district was granted all the necessary authority to effectuate the purposes.
4. Private Acts of 1925, Chapter 149, amended Private Acts of 1919, Chapter 476, by reducing the amount of the tax rate to be levied for the Oneida School District from ninety cents to thirty cents per \$100 of property valuation and the distribution of the proceeds were reduced from fifty cents to seventeen cents for the payment of the interest on the bonds and from forty cents to thirteen cents for the liquidation of the principal of the bonds.
5. Private Acts of 1925, Chapter 247, recited in the preamble that a previous tax rate of twenty-five cents per \$100 (cited as "two and one-half mills per dollar" in Item 3, herein) had been levied to build a high school in the Oneida Independent School District and the funds had been insufficient to complete the structure. This act further permits the Quarterly County Court to levy another tax of twenty cents per \$100 to complete the High School building and continues the power of the Trustees to do all things necessary to complete the school.

6. Private Acts of 1925, Chapter 311, is an exact duplicate of Private Acts of 1925, Chapter 247, above, which was also properly enacted by the Legislature without explanation for the reason therefor, other than the assumption that the second law was passed without knowledge of the first.
7. Private Acts of 1929, Chapter 835, amended Private Acts of 1915, Chapter 371, Section 10, by increasing the minimum rate of the tax levy for the Oneida School District from ten to fifteen cents per \$100 of property valuation in the district. This Act was expressly repealed by Private Acts of 1975, Chapter 178.
8. Private Acts of 1935, Chapter 663, amended Private Acts of 1919, Chapter 476, Section 7, reported in Item 2, above, by levying a special tax rate of fifteen cents per \$100 of property valuation, both real and personal, within the boundaries of the Oneida School District which would be collected by the Trustee and paid over to the Board of Trustees for the school district to be used to pay the principal and interest on the bonds which were permitted to be issued under the authority of that act. The two former tax rates for the bonds were ninety cents and thirty cents per \$100.
9. Private Acts of 1935, Chapter 665, amended Private Acts of 1929, Chapter 835, Item 7, above, by raising the minimum tax rate for the Oneida School District from fifteen cents to twenty cents per \$100 on all property, real and personal, within the District. This Act was also repealed by Private Acts of 1975, Chapter 178.
10. Private Acts of 1941, Chapter 267, provided that the caption of Private Acts of 1919, Chapter 476, be amended so as to provide an assessment upon all property both personal and real within the corporate boundary limits of the Oneida High School District. The Act is further amended in Section 7, by adding a paragraph at the end of the Section assessing a tax rate of fifteen cents per \$100 on all property, real and personal, within the corporate boundaries of the Oneida High School District for the year 1942, and subsequent years, which shall be collected by the County Trustee, and used for maintenance of Oneida High School property.

Superintendent or Director of Schools

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

1. Private Acts of 1923, Chapter 157, Section One, provided that the County Superintendent of Public Instruction would be elected by popular vote for a two year term which would begin on January 1, 1925. This Act also created a Board of Education and provided for a Truant Officer.
2. Private Acts of 1933, Chapter 729, provided that the County Superintendent of Public Instruction would be elected by popular vote for a four year term. The salary was set up which he would receive and the obligation imposed to discharge such duties as were prescribed by law and that the qualifications established under state law must be met. This Act was repealed by Private Acts of 1949, Chapter 33.
3. Private Acts of 1939, Chapter 394, allowed the County Superintendent of Public Instruction in Scott County to employ a clerk to assist in the clerical duties of the office, and to the Board of Education. The salary would be not more than \$600 annually, payable monthly out of the school funds in the same manner as other school expenses are paid. The clerk will serve at the pleasure of the Superintendent.
4. Private Acts of 1943, Chapter 168, amended Private Acts of 1935, Chapter 688, Section 1, by striking out the requirement in that act that the compensation of the Superintendent of Public Instruction be limited to \$2,400 per year including the State supplement so as to provide that the county would pay the \$2,400 a year to the Superintendent, exclusive of and in addition to the State supplement, if any, for all the services rendered to the County by the Superintendent.
5. Private Acts of 1943, Chapter 257, amended Private Acts of 1923, Chapter 157, Section 1, by removing the provisions of a two year term, as specified in that act, and providing for a four year term for the Superintendent which would begin on September 1, 1925. A conflict between this Act and Private Acts of 1933, Chapter 729, published herein is not readily apparent.
6. Private Acts of 1945, Chapter 168, amended Private Acts of 1939, Chapter 394, by striking out the provision for the \$600 yearly salary for the clerk to the County Superintendent of Education and inserting a provision to compensate the Clerk at \$150 per month, payable at \$100 a month out of elementary school funds and \$50 a month out of high school funds which will be payment in full for all services rendered.
7. Private Acts of 1947, Chapter 774, amended Private Acts of 1935, Chapter 688, Section 1, by

establishing the compensation of the County Superintendent of Schools as that amount authorized by general education law which would be contributed by both State and County.

8. Private Acts of 1949, Chapter 33, expressly repealed Private Acts of 1933, Chapter 729.

General Reference

The following acts constitute part of the administrative and political heritage of the educational structure of Scott 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 1851-52, Chapter 25, established a county academy at Huntsville for Scott County to be called Huntsville Academy. The act named Dennis Trammel, Absolom Cross, James Reed, John L. Smith, and Culberth Webb, as Trustees of the Academy, clothing them with all the power and authority incidental to academic corporations, with the authority also to make whatever rules and regulations might be needed for the operation of the facility which were consistent with the State and Federal constitutions.
2. Acts of 1855-56, Chapter 266, states that the Huntsville Academy is entitled to draw the academy funds to which it would have been entitled under the law, being duly and properly organized under its charter. The Comptroller of the State was authorized and directed to pay over to the said academy such funds from the years 1852, 1853, 1854, and 1855.
3. Acts of 1887, Chapter 98, permitted the Trustees of the new Huntsville Academy to sell and convey the property of the old academy on such terms as they consider in the best interests of the people. The proceeds of the sale will be turned over to the County Trustee and be dispersed as other school funds are distributed.
4. Public Acts of 1907, Chapter 236, abolished all the offices of District Directors in the state and created Boards of Education and District Boards of Advisors in their places. Five school districts are to be created in each county from each of which one member of the Board of Education would be elected. The districts would be composed of, and coincide with, whole civil districts. Initial members would be appointed by the County Court and serve until September 1, 1908, when those elected by popular vote would assume office. The duties of the Chairman of the Board, chosen by its members, of the Secretary, who would be the Superintendent of Schools, and of the Board itself are all enumerated in the act. Each member of the Board would make a full and accurate annual report of school affairs in his district, and receive, as compensation, from \$1.50 to \$3.00 per day, as determined by the County Court. The voters would further elect a three member Advisory Board whose duties were likewise spelled out in the act. This act did not apply to city schools, and some counties exempted themselves from its operations in Section 17 but Scott County was not one of them. This law was the subject of litigation in Whitthorne v. Turner, 155 Tenn. 303, 293 S.W. 147 (1927).
5. Private Acts of 1907, Chapter 603, stated that every parent or guardian, or anyone, having the custody and control of children between the ages of 8 and 16 years shall send them to school for at least 16 weeks, or 80 days, of each year, or for as long as the public schools are in session, unless they are excused by competent authority, or are physically disabled to attend which fact must be supported by acceptable medical proof. The Act provides for a variety of records to be kept at different levels of the scholastic hierarchy accurately presenting the true attendance records of each pupil. These requirements would not apply if one lived further than 2½ miles from the school house. Fines for violation ranged from \$10 to \$50 for each offense.
6. Private Acts of 1911, Chapter 319, was an amplification of the compulsory school attendance law requiring the same 16 week, or 80 days, attendance in school by children from 8 to 16 years of age, or as long as the public school is in session in the respective District. One must be excused properly or be disabled if not attending the specified number of days. The attendance must be for consecutive days unless one was temporarily excused by the classroom teacher. If a child were poor, the county was authorized to buy clothing and all school supplies for it. The law did not apply if the pupil's home was located more than 2½ miles from the school. All violations would be punished by fines of \$1 per day for each day missed unlawfully. It was declared illegal for anyone to employ a child between the above age limits who should be in school. A census would be taken each year of school children in each district and the attendance records compared to it. The teachers, and other school officials, would not be paid their salaries unless this law was fully met.
7. Private Acts of 1917, Chapter 317, provided that for the purpose of providing and maintaining high schools in Scott County, the County Court could levy a special school tax of 2½ mills on the dollar to be assessed against all property subject to taxation to be collected as any other tax is collected and paid over to the County Trustee to be used for the purposes mentioned above.

8. Private Acts of 1917, Chapter 355, abolished the office of Truant, or Attendance Officer in Scott County, quoting population figures according to the Federal Census of 1910. All laws in conflict with this law were repealed.
9. Private Acts of 1917, Chapter 626, amended Public Acts of 1913, Chapter 4, the title of which is written into the amending act, by adding a provision, which would be applicable only to Scott County, that no supervisors shall be appointed as the public law required and all the duties imposed upon the Supervisors by the public act shall be performed and discharged by the regular county superintendent at no increase in compensation.
10. Private Acts of 1917, Chapter 668, applied to both Scott and Morgan Counties and provided that those county high schools, whose school terms were longer than the elementary school terms, would be permitted to teach elementary students who were below high school levels in those schools, the cost of which would be paid out of the high school funds of the county.
11. Private Acts of 1923, Chapter 448, stated that in Scott County the Quarterly County Court may levy a tax of not less than ten cents per \$100 of all taxable property, and annually thereafter, until all the indebtedness on the Robbins School is paid off. These special taxes would be collected by the Trustee and kept in a separate account for that purpose.
12. Public Acts of 1925, Chapter 115, was the start of the current general state statutes dealing with education being codified as Title 49, of the Tennessee Code Annotated.

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