



August 24, 2024

Private Acts of 1975 Chapter 178

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. 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.

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