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# Private Acts of 1967-68 Chapter 454

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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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# Private Acts of 1967-68 Chapter 454

**SECTION 1.** That the government, supervision, and control of public schools of Rutherford County shall be vested in the seven-member Board of Education created by Chapter No. 252, Public Acts of 1967, to be elected by the qualified voters of Rutherford County as hereinafter provided.

**SECTION 2.**

(1) School District I shall be composed of county commission districts 5, 11, and 12. (2) School District II shall be composed of county commission districts 1, 2, and 3. (3) School District III shall be composed of county commission districts 4, 6, and 7. (4) School District IV shall be composed of county commission districts 8, 9, and 10. (5) School District V shall be composed of county commission districts 17, 18, and 21. (6) School District VI shall be composed of county commission districts 13, 15, and 16. (7) School District VII shall be composed of county commission districts 14, 19, and 20.

The redistricting set forth herein shall in no way abridge the terms of office of existing school board members with election for school board members to continue in the staggered terms as presently provided.

As amended by: Private Acts of 1972, Chapter 371

As amended by: Private Acts of 2010, Chapter 49

**SECTION 3.** That School Board members shall be citizens of recognized integrity, intelligence, and ability to administer the duties of the office. Each such member shall have resided not less than one (1) year next preceding his election in one or another of the civil districts comprising the School Board District from which he is elected and shall be a registered voter in such district. No member of the Quarterly County Court nor any other county official, elected or appointed, shall be eligible for election or appointment as School Board member. No School Board member shall serve as a teacher or in any other position under the Board carrying with it any salary or compensation. Should a Board member move his place of residence outside the district which he represents, the office of such board member shall become vacant.

**SECTION 4.** That at the August 1972 General Election for county officers, one School Board Member shall be elected by the qualified voters of School District 2 and one by the qualified voters of School District 6.

At the August 1974 General Election, one member shall be elected by the qualified voters of School District 3 and one member by the qualified voters of School District 5.

At the August 1976 General Election, one member shall be elected by the qualified voters of School District 1, one member by the qualified voters of School District 4, and one member by the qualified voters of School District 7.

Members so elected shall serve for terms of six (6) years and until their successors are elected and qualified.

The term of a duly elected and certified School Board member shall begin when he takes the oath of office. The oath of office may be administered to the Board member at any time after the midnight of August 31, following his election.

As amended by: Private Acts of 1972, Chapter 371

**SECTION 5.** That, before entering upon the duties of the office, every member of the County Board of Education shall qualify as such member by taking and subscribing and filing with the County Court Clerk, the following oath:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States and of the State of Tennessee, and the laws governing the operation of the Rutherford County School System, and that I will faithfully, zealously, and impartially discharge the duties of a member of the Rutherford County School Board without fear or favor, and for the public welfare."

**SECTION 6.** That vacancies on the County Board of Education shall be declared by the Board to exist on account of death, resignation, acceptance of a position in conflict with Board qualifications as set forth in Section 3 hereof, or removal of residence. All vacancies shall be filled for the unexpired term at the next regular general election held more than forty (40) days subsequent to the occurrence of said vacancy, provided, however, that the Quarterly County Court, at its next regular or special meeting after such vacancy occurs, shall fill the same on an interim basis with the election by majority vote of a qualified person. Said interim member shall hold office until the vacancy is permanently filled at the next general election.

**SECTION 7.** That at the first meeting of the Board of Education in September of each year, the members

of the Board shall elect from among themselves a Chairman and such other officers as they may deem proper. A regular meeting of the School Board shall be held once each month at a time and place selected and publicly announced by the Board. The Board shall adopt written rules of procedure which shall include provisions for the call of special meetings by the Chairman or by a majority of members of the Board, provisions for due notice of the time, place, and agenda of such regular or special meetings, and all other procedural rules that the Board may deem necessary and suitable.

**SECTION 8.** That all meetings of the School Board shall be open to any resident who may desire to attend, provided that nothing herein contained shall be construed as denying the Board the right to hold executive sessions, but no official act shall be taken in such executive sessions.

**SECTION 9.** Members of the Rutherford County Board of Education shall receive as compensation for one day's attendance at the first meeting in any month the same sum as is received by members of the County Court for a regular meeting, and shall receive as compensation for each day of attendance at subsequent meetings in the same month such sum as is received by members of County Court Committees for committee meetings, plus a travel allowance of five (.05¢) a mile for each mile traveled in attending meetings of the Board.

As amended by: Private Acts of 1972, Chapter 264

As amended by: Private Acts of 1975, Chapter 72

**SECTION 10.** That the County School Board shall have the responsibility for the government, supervision, and control of the public schools of the County, provided, however that no Board member shall have authority to act independently on any school matter. The Board shall generally exercise all powers, duties, and privileges as set forth in the public laws of Tennessee relative to County Boards of Education and specifically discharge those duties enumerated in Section 49-214 and Section 49-215, Tennessee Code Annotated, which are not in conflict with the provisions of this Act.

It shall be the duty of the County Board of Education to elect, from nominations or recommendations made by the Superintendent of Schools, but not otherwise, all principals, teachers, and other employees of the County School System: and to fix the salaries of principals, teachers, and other employees of the County School System, within the funds available or provided by the Quarterly County Court.

It shall be the duty of the Board to plan for the extension and development of the County School System; to determine the need for new buildings; to plan, locate, erect, and furnish the same, after the Quarterly County Court shall have provided funds for same. The Board shall adopt written policies and regulations for the proper functioning of the Board and the School System. It shall have drawn up and made available for general distribution a statement of such policies and regulations.

The Board shall assign to the County Superintendent of Schools such duties as are set forth in Section 49-224, Tennessee Code Annotated, and any other such duties as can reasonable be expected of the superintendent.

**SECTION 11.** That the County Board of Education shall direct the superintendent of schools to prepare a budget showing the proposed expenditures for the schools under its jurisdiction for the ensuing fiscal year, and after the Board approves of said budget, it shall submit the same to the budget committee of the Quarterly County Court pursuant to Section 49- 214, Tennessee Code Annotated. At the same time, the Board shall cause to be prepared and shall submit to the budget committee an estimate of the amount of funds to be received from the State and Federal governments for school purposes, and of the amount estimated as required to be raised by taxation in order to meet and pay the estimated expenditures for the ensuing year. Nothing herein contained, however, may be construed as denying the Board the right to amend its budget from time to time during the year as changing circumstances warrant, provided that such amendments do not increase the total amount of projected expenditures beyond the total amount of anticipated revenues for that year.

**SECTION 12.** That all assets of, and all legal debts, contracts, and financial obligations incurred by the County School Commission established and operating under the provisions of Chapter 426, Private Acts of Tennessee, 1943, and all subsequent amendments thereto, shall be transferred to and assumed by the County Board of Education established by Chapter No. 252, Public Acts of 1967, upon the day that a majority of said Board members are administered their oath of office.

**SECTION 13.** That should any city or Special School District operating a School System within the County deem it advisable to place the operation of said System under the general supervision of the County Board of Education, the consolidation of the two school Systems and proper dispensation of their assets and liabilities shall be accomplished pursuant to the provisions of Section 49-401 through 49-429, Tennessee Code Annotated.

**SECTION 14.** That this Act shall have no effect unless approved by a two-thirds (2/3) vote of the Rutherford County Quarterly Court at a regular or special meeting held on or before April 14, 1968. Its

approval of nonapproval shall be proclaimed by the presiding officer of the Rutherford County Quarterly Court and shall be certified by him to the Secretary of State.

**SECTION 15.** That this Act shall be effective from and after its passage, the public welfare requiring it, but the provisions thereof shall not become operative until validated as provided in Section 14 herein.

Passed: April 3, 1968.

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