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Education/Schools - Historical Notes

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Sincerely,

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Board of Education

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

1. Acts of 1907, Chapter 236, placed all the schools in the State under the management and control of a County Board of Education and a District Board of Advisors, abolishing the posts of District Directors for schools. The County Court was required to divide the County into five Districts composed of whole civil districts from each of which one member of the Board of Education would be elected. The duties of the Chairman, selected by his fellow members, the Secretary, and the Board members were enumerated and specified in the Act. The people of each District would elect three members of an Advisory Board whose responsibilities were also listed.
2. Private Acts of 1909, Chapter 302, amended the general law, Acts of 1873, Chapter 25, so as to create a County Board of Education in several counties, Rutherford County being one of them, composed of one member from each Civil District, the County Judge, or Chairman, and the Superintendent of Schools who would be ex-officio chairman. All members of the Board would be elected by popular vote beginning in August, 1910, any resident of the Civil District who had a primary school education would be eligible to serve on the Board. Vacancies were to be filled by the County Superintendent. The Act listed the duties of the Chairman, the Secretary, and the members of the Board. Each member was directed to take a scholastic census and report it to the Superintendent. This Act was repealed by Private Acts of 1917, Chapter 360, as to Rutherford County.
3. Private Acts of 1919, Chapter 733, established a seven member Board of Education in Rutherford County whose members would be selected by the County Court, who must be residents of the county for at least one year and have at least a public school education. The County Court must separate the County into five Districts from each of which one member would come, and two would represent the County at large. The Board would be compensated \$3 per day for each day served. The School Superintendent would fill the vacancies. The Board, whose duties were specifically set out, would have supervision over all county schools, not the city schools, must keep a regular roster of employees and children and must file a report on the school system which shows its condition and state of finances supported by ample documentation.
4. Private Acts of 1937, Chapter 751, authorized the County Board of Education to maintain any Junior High School established under the general act of the Legislature, known as Junior High School Type One, Form Two. The Board could reorganize any Junior High School into the Type One, Form Three School by meeting the conditions mentioned in the law. Proper credit must be given to those students completing the work in the old type of school upon becoming enrolled in the new type.
5. Private Acts of 1943, Chapter 426, placed all facets of the supervision and management of the entire public school system into a County School Commission to be elected by popular vote. Eleven school zones were established composed of whole Civil Districts from each of which a resident of one year or more, would be elected. The current County Board of Education was continued in office until September 1, 1944, when their successors, elected in the August election of 1944, would assume office for a term of four years. Vacancies would be filled by the County Court until the next general election. Members were limited to three consecutive terms in office. The Commission would meet at the Court House, be sworn, and would meet regularly on the first Monday in June, September, December, and March and at special meetings called by the Chairman. Each School Zone Commissioner must file in writing seven days, or more, before the first Monday in April a list of teachers for the schools in the District at which time teachers would be appointed. Some regulations on the solicitation of bids and award of contracts were set up. Prohibitions against personal interest of school commissioners in the business of the system were ordained for which fines could also be imposed on one violating the same. Members were to be paid \$2.50 a day and the Chairman \$3 per day up to fifteen days a year. The Commission was to be furnished an office in the Court House, or they could rent one at a rental figure not over \$10 per month, which office would also house the Superintendent and the records of the system. The office of the County Board of Education was specifically abolished. This Act was repealed by Private Acts of 1967-68, Chapter 224, and by Chapter 455.
6. Private Acts of 1949, Chapter 608, amended Private Acts of 1943, Chapter 426, by adding at the end of Section 9, a provision that no teacher could be dismissed from a two-teacher school or a

three-teacher school without an open hearing before the Commission, and if the teacher is dismissed, the action must be approved by the State Board of Education. The first paragraph of Section 14 was rewritten to fix the pay of members of the Commission at \$3.50 per day and that of the Chairman at \$5 per day up to 15 days per year which attendance must be certified by the County Superintendent of Public Instruction.

7. Private Acts of 1949, Chapter 883, amended Private Acts of 1943, Chapter 426, Section 9, by adding at the end of the Section a proviso that the Section would not apply to dismissals of teachers for disciplinary causes, but would pertain to dismissals of teachers for failure to meet the required teacher-pupil ratio.
8. Private Acts of 1951, Chapter 192, amended Private Acts of 1943, Chapter 426, by rewriting the first paragraph of Section 14 so as to increase the per diem of the School Commissioners to \$7.50 per day, and of the Chairman to \$10 for each day's attendance at meetings up to 15 days per annum, plus a mileage allowance of five cents per mile going and coming from meetings to home, but his allowance was limited to \$30 per year. Travel pay must be supported by affidavit. All of these payments were to come out of the general funds of the County, and the County Superintendent must verify, all expenditure requests before payment. This Act was repealed by Private Acts of 1967-68, Chapter 224, and Chapter 455.
9. Private Acts of 1951, Chapter 515, amended Private Acts of 1943, Chapter 426, Section 9, by adding three new paragraphs to the Section which gave the School Commission authority to sell and transfer title to any real property held for school purposes when the same was authorized by the County Court, no matter in whose name the property might be. The second paragraph divested the title to school properties out of any former Board, or out of any individual in whom the same might rest and vested the same in the County School Commission. The third paragraph ratified, confirmed, and validated all prior transfers of real property regardless of how or in whose name the deeds, or instruments of conveyance might have been drawn. This Act was repealed by Private Acts of 1967-68, Chapter 224 and Chapter 455.
10. Private Acts of 1955, Chapter 124, amended Private Acts of 1943, Chapter 426, Section 6, by deleting the last two sentences in this Section which stated that no School Zone Commissioner could succeed himself in office after three terms and that no person would be eligible for the office of Commissioner who held any other public office, or who served on any other Commission, or Committee.
11. Private Acts of 1963, Chapter 121, amended Private Acts of 1943, Chapter 426, Section 11, by raising the limit on purchases which could be made without bidding from \$100 to \$500.
12. Private Acts of 1967-68, Chapter 224, expressly repealed Private Acts of 1943, Chapter 426, and all the acts amendatory thereof, effective on September 1, 1968. This Act was properly ratified by the Rutherford County Quarterly Court.
13. Private Acts of 1967-68, Chapter 250, formed a seven member Board of Education as required by Public Acts of 1967, Chapter 252, and divided Rutherford County into seven School Board Districts, describing each District in turn. Some qualifications were set up for the members of the Board and some procedures promulgated which were enacted for the operation of the Board, and its supervision of the school system. This Act was rejected by the Quarterly Court of Rutherford County and never became an effective law.
14. Private Acts of 1967-68, Chapter 447, which was never acted on by local authorities, consequently not becoming an effective law, provided for the government, supervision, and control of the public schools in Rutherford County. This Act continued the eleven member County School Commission in office until the expiration of their terms and scheduled the election of their successors over a period of time so as to give them staggered terms of office. After September 1, 1972, the Rutherford County School Commission would consist of seven members elected for six year terms without regard to geographical districts. Rules and regulations were prescribed for the conduct of the Commission and for the operations of the school system.
15. Private Acts of 1967-68, Chapter 455, repealed specifically Private Acts of 1943, Chapter 426, and all its amendments.

School Districts

According to our information there are no active school districts in Rutherford County, the only separate school system being the Murfreesboro City Schools.

1. Acts of 1855-56, Chapter 237, created a Common School District in Rutherford and Cannon Counties comprised of the families enumerated in the Act. The District was entitled to its prorata share of the common school fund.

2. Private Acts of 1901, Chapter 296, formed a special independent School District #51 out of the area detached from the 11th Civil District and made a part of the 12th Civil District in Rutherford County. District #51 was entitled to receive its pro-rated share of public school funds and would be controlled and managed by commissioners who lived in the area and were to be appointed by the County Superintendent of Public Schools to serve until their successors could be elected by popular vote.
3. Private Acts of 1905, Chapter 100, created a new School District out of portions of the 15th, 16th, and 22nd Civil Districts which area was described in the Act. The school directors in the above Civil Districts were directed by the Act to pay over to the special School District created herein its pro rata share of school funds. The County Superintendent was directed to number this new District and to appoint three school directors for it who would continue in office until their successors were elected by popular vote.
4. Private Acts of 1905, Chapter 151, fashioned a new independent school district out of portions of the 17th, 19th, and 22nd Civil Districts of Rutherford County, as described in this Act, and numbered it School District #53. The District would be entitled to its distributive share of school funds from all public sources. The Act named J. R. Stroop, C. O. Wright, and G. H. Jones as the School Commissioners of the new District who would serve until their successors were elected by popular vote.
5. Private Acts of 1905, Chapter 180, formed a new School District from parts of the 5th and 15th Civil District as the same was described in the Act. The special school district, known as School District No. 54, must be paid its pro rated share of public school funds. The County Superintendent would name the School Directors who would serve until their successors were elected at the next general election in August.
6. Private Acts of 1905, Chapter 277, originated Special School District #29 in Rutherford County, describing its area by a description of the property, and directing the Superintendent to appoint three directors of the District to serve until their successors could be elected by popular vote.
7. Private Acts of 1905, Chapter 487, established a special School District in the 10th and 12th Civil Districts of Rutherford County as the same was generally described in the Act. The Superintendent of Schools would appoint the three directors and the Clerk would take a scholastic census and advise the Trustee who would pro rate the school funds. All the school properties located in the district would become a part of it with nothing being changed in that regard.
8. Private Acts of 1907, Chapter 43, delineated a new and joint special school district out of portions of Cannon County and Rutherford County as the same was described therein, to be known as the Readyville School District. Dr. W. E. Yanree, Bill McBroom, and Josh Burton, were named as the first Directors of the new School District, all of whom must serve without compensation. The Clerk of the District was required to furnish the School Superintendent with the number of students residing in the area, and the Superintendent would pass the information to the respective Trustees to enable the Trustee to pro rate funds. The school building being located on the Porterfield and Milton Road, near the New Hope Church. This Act was repealed by Private Acts of 1915, Chapter 529.
9. Private Acts of 1907, Chapter 79, formed a special school district out of portions of Cannon County and Rutherford County to be known as the Porterfield School District, including the properties of the several families named in the Act. The Act named Dr. J. F. Dismukes, Steve Jordan, and C. L. Duggin, as the school directors at no compensation. Any person qualified by or in either county was declared eligible to teach in the District. The District was entitled to its pro-rata share of the school funds.
10. Private Acts of 1907, Chapter 139, established a special school district in the 9th Civil District of Rutherford County embracing the territory described in the Act. L. A. Coleman, W. J. Lewis, and W. T. Lewis, would serve as directors without pay until their successors could be elected. The District would be known as Special School District No. 32 and would be entitled to its pro-rata share of school funds.
11. Private Acts of 1907, Chapter 495, appeared to be almost identical with Private Acts of 1907, Chapter 43, which created the Readyville School District except some minor changes were made in the description of the area involved, and named Dr. W. E. Youree, Bill McBroom, and Josh Barton, as Directors, obviously correcting the misspelling of Dr. Youree's name in the earlier Act.
12. Private Acts of 1911, Chapter 336, created a special school district out of parts of the 23rd Civil District of Wilson County, and part of the First Civil District of Rutherford County, which would be called the "Spring Creek School District." The Act contained a general description of the land area embraced by the District and named B. S. Flowers, M. F. Lannom, and G. B. Lannom, as the first

Directors of the area. The Trustees of the two counties were obligated to pro rate the school funds with the special district herein established.

Superintendent or Director of Schools

The acts referenced below once affected the office of superintendent of education in Rutherford County, but are no longer operative.

1. Acts of 1895, Chapter 155, applicable to all counties over 30,000 in population, prohibited the county superintendent of public instruction from teaching in any public school, either as principal or as an assistant, during their official terms, nor could the superintendent take any contract to build or repair a public school, nor become the owner of a school warrant other than for his services as superintendent.
2. Private Acts of 1917, Chapter 96, provided that county superintendents of public instruction within a certain population class according to the Federal Census of 1910 were to be elected by qualified voters for a term of four years.
3. Private Acts of 1927, Chapter 697, provided that the Supervisors of county elementary schools would, in addition to all their other duties imposed by general law, perform also the duties of attendance officer. COMPILER'S NOTE: See T.C.A. 49-6-3006, for the current law on this subject.

General Reference

The following acts constitute part of the administrative and political heritage of the educational structure of Rutherford 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 1806, Chapter 8, Page 74, appointed Trustees for all the county academies and incorporated them as institutions of learning. Joseph Dixon, John R. Bedford, John Thompson, Sr., William P. Anderson, and Robert Smith were incorporated as the Bradley Academy in Rutherford County. (See Trustees of Carrick Academy v. Clark, 112 Tenn. 483, 80 SW 65(1904).
2. Acts of 1807, Chapter 56, appointed additional Trustees for the various county academies across the State amending Acts of 1806, Chapter 8. Thomas Rucker and Joseph Herndon were named as additional Trustees for Bradley Academy.
3. Acts of 1809, Chapter 120, nominated additional Trustees for Bradley Academy in Rutherford County, naming Charles Cavanaugh, Robert Bedford, Joseph Burris, and Mark Mitchell as such, who would be subject to the same rules and regulations as the others.
4. Acts of 1815, Chapter 22, appointed Frederick Barfield, Benjamin McCulloch, William E. Butler, James Manny, William Lytle, and William Dickinson as Trustees for Bradley Academy in Rutherford County, granting to them the same power and authority as the original Trustees possessed.
5. Acts of 1815, Chapter 196, appropriated the old Court House in Jefferson and the public square to the use of a seminary for learning. The school, called the Jefferson Seminary, would have John Coffee, Peter LeGrand, Shelton Crossthwait, George Simpson, and Walter Kibble as its Trustees, who could exercise the normal powers and authority of similar school Trustees.
6. Acts of 1827, Chapter 188, named Robert Jetton, Samuel P. Black, David Wendel, Joseph Spence, James C. Moore, Silas Locke, Logan Henderson, William Ledbetter, Samuel Anderson, Russell Dance, Frances D. W. Burton, Samuel H. Laughlin, and Jonathan Curtis, as Commissioners to lay out a lottery scheme, or more than one, to raise up to \$5,000 to erect buildings or purchase a library and philosophical apparatus for Bradley Academy in Rutherford County. The Commissioners must make suitable bond and stay within the restrictions narrated in the Act.
7. Acts of 1833, Chapter 82, incorporated William Ledbetter, Jonathan Currin, Henry D. Jamison, Charles Niles, Charles Ready, Varner D. Cowan, and William F. Lytle, as the Trustees of the Murfreesborough Female Academy conferring upon them all the authority and attributes incidental to corporate institutions of education. They were permitted to make such regulations and by-laws as necessary to operate the school in an orderly fashion which did not contravene the State Constitution.
8. Acts of 1835-36, Chapter 101, was the Charter of incorporation for James C. Mitchell, Swepson Sims, Benjamin Johnson, James M. King, Overton W. Crockett, Thompson Jarratt, Lewis Garner, William M. Smith, and Granville S. Crockett, to be the Trustees of Midsylvania Female Academy in Rutherford County.
9. Acts of 1837-38, Chapter 74, incorporated John S. Ruswurm, James M. King, Elias King, Benjamin Johnson, Benjamin C. Ransom, John Ransom, and William Ledbetter, as the Salem Male Academy

- in Rutherford County conferring upon them the same powers and duties in all respects as those expressly given to the Trustees of the Harpeth Male Academy in Williamson County.
10. Acts of 1839-40, Chapter 122, made it the duty of the Commissioners of the Nashville, Murfreesboro, and Shelbyville Turnpike Company to pay immediately into the common school fund of the State all the interest which has accrued from the school fund of the Counties of Davidson, Rutherford, and Bedford. The Superintendent of Public Instruction had the responsibility to apportion the money among the above counties over and above the share given to them under the general law.
 11. Acts of 1839-40, Chapter 143, stated that the County Trustees of the Counties of Davidson, Rutherford, and Bedford would demand from the Nashville, Murfreesboro, and Shelbyville Turnpike Company any monies to which these counties might be entitled and then apportion the same as required by law to the several school districts and fractions, as they exist.
 12. Acts of 1847-48, Chapter 189, appointed the Trustees of Union University as the Trustees of Bradley Academy in Rutherford County and the Trustees of Union University may use the academy lot and buildings so long as the University remains located in Murfreesboro.
 13. Acts of 1851-52, Chapter 83, incorporated Legrand H. Carney, Simeon B. Christy, William Spence, D. D. Wendel, William F. Lytle, Joseph Watkins, B. W. Avent, John Leiper, and Thomas W. Randle, as the Trustees of Soule Female College in Murfreesboro with an authorized capital stock of \$100,000. Vacancies on the Trustee's Board would be filled by the remaining Trustees. The Trustees were granted all the power and authority necessary to operate and manage the school.
 14. Acts of 1866-67, Chapter 74, formed R. W. Faine, R. Carlton, Ivey Burns, C. R. Farris, B. B. Taylor, William Jordan, and F. Jackson, into a corporation as the Trustees of the Concord Male and Female High School in Rutherford County. The Trustees were empowered to organize themselves and make such rules and regulations as might be essential to the ordered operation of the school.
 15. Private Acts of 1917, Chapter 340, granted the District Directors of the school districts in Rutherford County the power to establish primary and secondary public schools in the district in which may be taught the first ten grades of the public school system.
 16. Private Acts of 1920 (Ex. Sess.), Chapter 111, gave the authority to the State Board of Education, the Rutherford County Board of Education, and the City Board of Education for Murfreesboro to enter into contracts and agreements each with the other for the maintenance and support of the public schools in Murfreesboro for a period of five years, or longer, if necessary.
 17. Private Acts of 1935, Chapter 813, divested out of E. F. Lytle and C. B. Bell, or any other person, all the right, title, and interest to all property heretofore conveyed to them as the Sinking Fund Commissioners for the City of Murfreesboro, or as the Sinking Fund Commissioners of Middle Tennessee State Normal School, and vested the same in the City of Murfreesboro.
 18. Private Acts of 1945, Chapter 270, constituted the legislative authority for the city of Murfreesboro and Rutherford County to cooperate with each other and to contribute to the establishment and construction of a high school which the City would locate within the city limits of Murfreesboro. Specific grants of power were made to both governments which were calculated to enable them to accomplish their objective.
 19. Private Acts of 1945, Chapter 323, authorized the construction of a high school in Murfreesboro through the cooperative efforts of the City of Murfreesboro and Rutherford County. The school would be operated by the County. This Act was repealed by Private Acts of 1979, Chapter 138.

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