



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

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## Chapter VI - Education/Schools

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Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

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<b>Chapter VI - Education/Schools .....</b>	<b>. 3</b>
<b>Board of Education .....</b>	<b>. 3</b>
<b>Private Acts of 1955 Chapter 20 .....</b>	<b>. 3</b>
<b>Private Acts of 1961 Chapter 39 .....</b>	<b>. 3</b>
<b>Superintendent .....</b>	<b>. 4</b>
<b>Private Acts of 1963 Chapter 214 .....</b>	<b>. 4</b>
<b>Education/Schools - Historical Notes .....</b>	<b>. 4</b>

# Chapter VI - Education/Schools

## Board of Education

### Private Acts of 1955 Chapter 20

**SECTION 1.** The members of the Roane County board of education shall be elected by popular vote at the August, 1982 general election, for terms as provided herein, thereafter all terms shall be six (6) years, filled by popular vote at the regular August election. The board shall be composed of nine (9) members who shall be elected from the districts from which they reside by the registered voters of that district as follows:

District A, from which two (2) members shall be elected is composed of the following precincts: Rockwood Ward I, Rockwood Ward II, Pond Grove, Eureka and Glen Alice.

District B from which two (2) members shall be elected is composed of the following precincts: Dyllis, Emory Heights, Emory, South Harriman, Fairmond, Midtown.

District C from which one (1) member shall be elected is composed of the following precincts: Harriman Ward I, Harriman Ward II, and Walnut Hill.

District D from which one (1) member shall be elected is composed of the following precincts: Orchard View, Oliver Springs, and Oak Hills,

District E from which two (2) members shall be elected is composed of the following polling precincts: Kingston Ward I, Kingston Ward II, Lawnville, Cave Creek and Paw Paw.

District F from which one (1) member shall be elected is composed of the following precincts: Fairview, Renfro, Midway, Paint Rock and Johnson School House.

As amended by: Private Acts of 1978, Chapter 246  
Private Acts of 1978, Chapter 311  
Private Acts of 1982, Chapter 359

**SECTION 2.** Those persons currently serving on the Roane County board of education shall serve until their current terms expire and until their successors are elected and qualified. In August, 1982, there shall be elected one (1) member from District A for a six (6) year term, one (1) member from District B for a six (6) year term, one (1) member from District D for a six (6) year term and one (1) member from District E for a two year term. After August, 1982, all members shall be elected for terms of six (6) years and shall serve until their successors are elected and qualified, with three (3) members to be elected each year after 1982.

As amended by: Private Acts of 1978, Chapter 246  
Private Acts of 1978, Chapter 311  
Private Acts of 1982, Chapter 359

**SECTION 3.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 31, 1955.

### Private Acts of 1961 Chapter 39

**SECTION 1.** That from and after the effective date of this Act, the Quarterly County Court of any county of this State having a population of not less than 39,100 nor more than 39,150 according to the Federal population census of 1960 or any subsequent Federal population census may provide for and compensate the members of the County Board of Education of such counties an amount not less than four dollars (\$4.00) nor more than ten dollars (\$10.00) per day for their services when attending regular and special meetings of said Board. And in addition thereto, the Chairman of said Board shall receive the sum of fifty dollars (\$50.00) per month payable on the first day of each month for his duties as Chairman of said Board.

**SECTION 2.** That this Act shall not be construed as altering the compensation or abridging the term of office of any member now holding such office prior to the expiration of the incumbent term.

**SECTION 3.** That this Act shall have no effect unless the same be approved by a twothirds (2/3) vote of the Quarterly County Court of any County to which it may apply. Its approval or non-approval shall be proclaimed by the presiding officer of such body having the power to approve or otherwise and shall be certified by him to the Secretary of State.

Passed: February 2, 1961.

# Superintendent

## Private Acts of 1963 Chapter 214

**SECTION 1.** That in Counties of this State having a population of not less than 39,100 nor more than 39,150, according to the Federal Population Census, the County School Superintendent shall be elected by popular vote as hereinafter set out. At the August 1966 election the voters of said Counties shall elect the County Superintendent of Schools to take office on January 15, 1967 or at the expiration of the incumbent term of such officer, to hold office for a term of four years or until his successor is elected and qualified. The duties and compensation of such official shall be as now fixed by existing law. Should such office become vacant by reason of death, resignation or other cause, the vacancy shall be filled by the Quarterly County Court of any such County for the expiration of such term.

**SECTION 2.** That this Act shall have no effect unless the same shall be approved by a majority of the voters voting in an election to be held for such purpose. Within 15 days after the approval of this Act by the Governor, or after its otherwise effective date, it shall be the duty of the Governor, or after its otherwise effective date, it shall be the duty of the county board of election commissioners of the county to which this Act applies, to call an election for the county to be held not less than 20 nor more than 40 days from the date of such call for the purpose of accepting or rejecting the provisions of this Act. The ballots used in such election shall have printed thereon the title of this Act and voters shall vote for or against its adoption. The votes cast at such election shall be canvassed by the county board of election commissioners upon the first Monday occurring 5 or more days next after the date of such election and the results shall be proclaimed by such board and certified to the Secretary of State. The qualification of voters shall be that provided by law for participation in general elections and all laws applicable to general elections shall apply to an election here hereunder. The cost of said election shall be paid by the county to which this Act applies.

**SECTION 3.** 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 2 herein.

Passed: March 19, 1963.

## Education/Schools - Historical Notes

### **Board of Education**

The following act once affected the board of education in Roane County but is no longer operative.

1. Public Acts of 1907, Chapter 236, abolished the position of District Directors of Education throughout the State and placed the management and control of the schools under a County Board of Education and a District Board of Advisors. The county court must divide the county into five, or less, school districts, composed of whole civil districts, from each of which one member of the Board of Education would be appointed initially by the county court but the successor would be elected by popular vote in the August, 1908, general election. If there were fewer than five school districts, the others needed to make five members were to be elected at large. The School Superintendent would serve the Board as Secretary. The powers and duties of the Chairman of the Board, the Secretary, and the members were all listed in the Act. Certain reports must be compiled and submitted by both Board members and school personnel. Members of the Board could be compensated at rate of \$1.50 to \$3.00 per day, the amount being fixed by the quarterly court. Each civil district would have a three member advisory board who were to be elected by the people and would discharge the obligations imposed upon them by this act. Nine counties exempted themselves from the provisions of this act, which did not affect city school systems, but Roane County was not one of them. (See Whitthorne v. Turner, 155 Tenn. 303, 293 SW 147 (1927)).

### **School Districts**

The private acts listed below concerned the creation of special, independent school districts. These acts are no longer operative and are summarized for historical purposes only.

1. Acts of 1899, Chapter 180, formed the Oliver Springs School District out of the portions of Roane County, Anderson County, and Morgan County, as was specifically described in the Act. The election commissions of the respective counties were directed to hold an election on the first Saturday in May, 1899, and on the first Saturday in August for school directors. The officials appointed to serve until that time would receive no compensation, and the clerk of the district must furnish the proper authorities with a statement of the number of school children in the area.

The Trustees were instructed to pay out the pro-rata share of school funds to the District and anyone holding a certificate of qualification from the County Superintendent of either county was eligible for employment.

2. Acts of 1903, Chapter 451, incorporated the parts of Roane County and Anderson County described therein into the East Fork Independent School District. The election authorities were required to hold an election in the area on the fourth Saturday in May, 1903, and every two years thereafter, to select the three school directors of the District. The clerk of the district must furnish the School Superintendent with a statement of the number of school children in the area, who would advise the County Trustee whose duty it was to pro-rate the school funds accordingly. A certificate of qualification which was valid in the county of residence was sufficient for employment in the new school district.
3. Acts of 1905, Chapter 284, established an independent school district in the First and Fifth Civil Districts of Roane County which would include the area described in the act and be called the Caney Ford School District. An election would be held on the second Saturday in May, 1905, and every two years thereafter, to elect the three school directors. The remainder of the act was similar to the terms of those preceding this one and described above.
4. Private Acts of 1909, Chapter 142, generally repealed the prior law on the subject and then proceeded to form a new Oliver Springs Independent School District out of portions of Roane County and Anderson County as the same was specifically described in the act. The Superintendent of Schools of Roane County would appoint three school directors to serve until their successors could be elected by popular vote at the election on the first Saturday in September, 1910. Elections for the school directors would occur every two years afterwards. The remainder of this act contained the same terms as the prior act did which set up this school district.
5. Private Acts of 1913 (Ex. Sess.), Chapter 33, amended Private Acts of 1909, Chapter 142, Section 2, Item 4, above, which established the Oliver Springs Independent School District, so that the election commission of Roane County was required to hold an election in Oliver Springs on the first Tuesday in May, 1914, and every two years thereafter, to elect three school directors for the district who would serve two year terms. All voters residing in the school district area could vote in this election.
6. Private Acts of 1917, Chapter 774, amended Private Acts of 1909, Chapter 142, which created the Oliver Springs Independent School District in Roane County and Anderson County, by removing the area of Anderson County in the school district out of it, and by making the appropriate amendments in other sections of the act to effectuate the above removal of Anderson County from the act's terms. Section 7 was changed so that a certificate of qualification from the State Superintendent of Education was needed in order to obtain employment in the District which was now located wholly within Roane County.

### **Superintendent or Director of Schools**

The act referenced below once affected the office of superintendent of education in Roane County, but is no longer operative.

1. Private Acts of 1933, Chapter 25, changed the term for which the Roane County School Superintendent would be elected from two (2) years to four (4) years.

### **General Reference**

The following acts constitute part of the administrative and political heritage of the educational structure of Roane 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, established Thomas I. Vandyke, Samuel Eskridge, Jacob Jones, Zacheus Ayer, and Jesse Bird as a body corporate and politic which would hereafter be known as the Trustees of Rittenhouse Academy in Roane County. See *Carrick Academy v. Clark*, 112 Tenn. 489, 80 SW 65 (1904).
2. Acts of 1809, Chapter 120, named John Purris, Merewither Smith, Thomas N. Clark, Thomas Brown, John Brown, Matthew Nelson, and Samuel Martin, all of Roane County, as additional Trustees for the Board of Rittenhouse Academy in Roane County.
3. Acts of 1811, Chapter 94, appointed Noah Ashley, John McEwen, Hugh Dunlap, Joseph McPherson, Solomon Geran, and William Gardenhire, as Trustees of Rittenhouse Academy who would serve as such in addition to all the others named as Trustees. John McEwen, Samuel

- Martin, and Samuel Stout, were named in the act as Commissioners for the town of Kingston.
4. Acts of 1821, Chapter 187, was the legislation which enabled the Trustees of Rittenhouse Academy in Roane County to lease out the school lands in the said county for a period of five years and to appropriate the proceeds thereof to the use, benefit, and improvement of the said academy as they deemed best. This act was repealed by the one following.
  5. Acts of 1823, Chapter 6, repealed Acts of 1821, Chapter 187, and gave the authority to lease the school lands in Roane, Rhea, and McMinn Counties to the School Commissioners provided for in this act. Similar laws as this one which were in force in McMinn and Rhea Counties were likewise repealed.
  6. Acts of 1829, Chapter 55, provided that any five of the Trustees of Rittenhouse Academy in Roane County would hereafter constitute a Board for the transaction of business which by law a majority of Trustees can now do.
  7. Acts of 1837-38, Chapter 84, nominated Richard Richards, Phillip S. Beddo, George Youst, and Joseph Byrd as additional Trustees for Rittenhouse Academy in Roane County. The new Trustees were vested with all the powers of the old Trustees and were charged with all the same responsibilities imposed upon the existing Board.
  8. Acts of 1837-38, Chapter 92, incorporated Thomas Brown, Lewis W. Gordon, Richard Richardson, H. H. Wiley, John E. McEwen, George L. Gillespie, and Henry Liggett, as the Board of Trustees for the Kingston Female Academy in Roane County, conferring upon them all the power and authority necessary and incidental to the operation and management of educational institutions.
  9. Acts of 1837-38, Chapter 279, granted permission to the commissioners of school lands in Roane County and Monroe County to appoint one of their number to perform so much of the duties of the commissioners as they considered they might properly assign to one person. They could require such person to execute a bond, and they were directed to compensate that individual in a reasonable manner.
  10. Acts of 1849-50, Chapter 128, incorporated William F. Brown, William J. Owings, John Tedder, B. F. Davis, Joshua Moore, and William McElwee, as the Trustees of Post Oak Spring Academy in Roane County together with all the power, authority, and responsibilities which were a part of and incident to the incorporation of educational entities.
  11. Acts of 1881, Chapter 168, provided that the Rittenhouse Academy in Kingston was to be sold to the highest bidder at public auction to be held at the court house door in Kingston. The County Court Clerk was appointed as a Commissioner to sell the school after first advertising the same for four successive weeks in a newspaper.
  12. Private Acts of 1909, Chapter 183, was a compulsory school attendance law for Roane County which required the parent of every child between the ages of 8 and 16 to see that the child attended school for 16 weeks, or for 80 consecutive days, of no less than four hours duration, or if a shorter term exists, then to attend for the length of that particular term. A child could be exempted, or excused, under certain conditions stipulated in the act but the excuse must be acceptable to school officials. Arrangements were included in the act to furnish poor families with the food, clothes, and text books necessary to keep their children in school attendance. The teachers must furnish the names of children and their attendance records, or forfeit their salary until they do. The terms of this law were to be enforced by the Sheriff, Deputy Sheriffs, and Constables. Penalties were provided for those who violated or failed to comply with the terms of this Act.
  13. Private Acts of 1935, Chapter 297, provided that all school teachers who had taught in the county school system continuously for at least twenty-four years next preceding the year of retirement, and who had reached the age of 70, could retire at one-half of their monthly salary averaged over the last five years. The amount of the pension would be ascertained from the records in the Superintendent's office who would issue a certificate to the County Court Clerk and the County Judge who would draw a warrant on the Trustee payable out of the High School fund as long as the said teacher should live. (Teachers are generally members of the Tennessee Consolidated Retirement System now.)
  14. Private Acts of 1935, Chapter 603, transferred the responsibility of operating the Rockwood Schools to the County Board of Education provided (1) that the commissioners of the city of Rockwood give the use of the building and the equipment free of charge, maintain them in good condition, provide adequate insurance coverage, and bear all the expense of the janitor services, (2) that the city commissioners must furnish teachers for the schools whom the county was not obligated to take on good cause being shown and the county could recommend other teachers,

(3) the Board of Education would have full control and management of the schools, (4) that pupils living outside the city could attend, and (5) that the Board of Education would be responsible only for the debts which the Board itself incurred after the passage of this Act. This Act was repealed in Item 18 below.

15. Private Acts of 1935, Chapter 685, amended Private Acts of 1909, Chapter 431, which in turn amended Private Acts of 1905, Chapter 247, which was the charter of the city of Oliver Springs, located in both Anderson County and Roane County, by striking out Section 2 of that Act so as to eliminate any provisions in that Act which related to schools and their operation.
16. Private Acts of 1939, Chapter 508, amended Private Acts of 1935, Chapter 297, to state that whenever the word "teacher" or "teachers" appeared in that act, the same would be construed to include also the supervisors, principals, and superintendents, including the County Superintendent. The act was further amended to reduce the age requirement for retirement from age 70 to age 65.
17. Private Acts of 1941, Chapter 323, provided that whenever any warrant of the county schools, either elementary or high school, had been duly registered with the Trustee and stamped by the Trustee on the day it was registered, the said warrant would bear interest at the legal rate fixed by the State from the date it was registered until the date it was paid, or until the money to pay the said warrants became available.
18. Private Acts of 1953, Chapter 56, repealed Private Acts of 1935, Chapter 603, Item 14, above. The provisions of Private Acts of 1903, Chapter 327, as amended, the same being the Charter of the city of Rockwood in Roane County, which related to the establishment, maintenance, and operation of a special school district in that city, were revived and reestablished to the same extent as they existed prior to their repeal, or suspension by Private Acts of 1935, Chapter 603.

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