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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.

Sincerely,

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Table of Contents

Chapter VI - Education/Schools 3
Board of Education 3
Private Acts of 1993 Chapter 90 3
Superintendent of Schools 3
Private Acts of 1935 (Ex. Sess.) Chapter 122 3
Education/Schools - Historical Notes 4

Chapter VI - Education/Schools

Board of Education

Private Acts of 1993 Chapter 90

SECTION 1. Chapter 14 of the Private Acts of 1963, as amended by Chapter 127 of the Private Acts of 1979, Chapter 85 of the Private Acts of 1989, and all other acts amendatory thereto, are hereby repealed.

SECTION 2. Putnam County shall be divided into six (6) school districts each of which shall be composed of two (2) adjoining county commissioner districts, as established by resolution of the county legislative body of Putnam County from time to time. One (1) member of the Putnam County Board of Education shall be 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 one-half (1/2) the members of the board shall expire, with all of the oddnumbered districts expiring at the same time, and all of the even-numbered districts expiring at the same time. Persons elected in the regular August elections shall take office on September 1 after the election and shall serve until their successors are duly elected and qualified.

SECTION 3. The county legislative body of Putnam County shall by resolution adopt a plan to accomplish the transition from the present seven (7) member school board to the new six (6) member school board described in Section 2 above.

SECTION 4. Members of the Putnam County Board of Education shall be paid one hundred dollars (\$100.00) per meeting, and the chairman shall be paid one hundred ten dollars (\$110.00) per meeting. Such compensation shall be paid in monthly payments from the county school funds. The compensation of a member or the chairman shall not exceed one thousand five hundred dollars (\$1,500.00) per year.

SECTION 5. The Putnam County Board of Education shall have the same powers, duties, privileges and qualifications as local boards of education established pursuant to Tennessee Code Annotated, Title 49, except as otherwise provided herein.

SECTION 6. Nothing in this act shall be construed as having the effect of altering the salary of any incumbent prior to the end of the term for which such official was elected. Nothing in this act shall be construed as having the effect of removing any incumbent from office or abridging the term of any official prior to the end of the term for which such official was elected.

SECTION 7. 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 8. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Putnam County Board of Commissioners. Its approval or nonapproval shall be proclaimed by the presiding officer of the Putnam County Board of Commissioners and certified to the Secretary of State.

SECTION 9. 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 8.

Passed: May 17, 1993.

Superintendent of Schools

Private Acts of 1935 (Ex. Sess.) Chapter 122

SECTION 1. That in counties of this State having a population of not less than 23,700, nor more than 23,800, by the Federal Census of 1930, or any subsequent Federal Census, County Superintendents of Public Education shall be elected by the qualified voters thereof at the first election under the provisions of this Act of such office, shall be held at the regular November election 1936, and quadrennially thereafter. The person so elected shall hold office for a period of four years from January 1, 1937 next following his election in office and until his successor shall be elected and qualified. The salary of the County Superintendent shall be included in the annual minimum county school program and determined on the basis of a salary schedule prescribed by the State Board of Education and approved by the State Commissioner of Education.

As amended by: Private Acts of 1947, Chapter 420

It is expressly declared to be the legislative intent that the first election of County Superintendent under the provisions of this Act shall be held at the regular August election 1936 and that the party elected to such office shall take office on September 1, 1936.

Within thirty days after the effective date of this Act it shall be the duty of the county executive committee of both the dominant political parties in counties to which this Act shall apply to call a special primary election for the purpose of nominating a candidate for the nomination for such respective party for county superintendent, which primary election shall not be held less than sixty days after the date of calling same.

The person receiving the highest number of votes in such primary election shall be duly certified as the nominee of the party in whose primary he was nominated for such office, provided that if only one candidate announces for the nomination of such office, no primary need be held and he shall be certified as a nominee of the party of which he belongs without further ado.

SECTION 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: July 31, 1935.

COMPILER'S NOTE: See T.C.A. 49-2-301(d) for general law on the office of County Superintendent of Public Instruction.

Education/Schools - Historical Notes

Board of Education

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

1. Acts of 1907, Chapter 236, abolished all the District Directors of the Schools and established a County Board of Education, and a District Board of Advisors, for each county in the State. The Quarterly 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 elected by the people. The Superintendent of Schools was to be the ex-officio Secretary of the Board. The duties of the Chairman, the Secretary, and the other members of the Board were generally specified in the Act. Certain reports were required from each of the above named officials to be filed with the Superintendent. A three member Board of Advisors would be elected in each Civil District for two year terms to discharge the duties specified and imposed by this Act. Putnam County exempted themselves from this Act along with eight other counties.
2. Private Acts of 1911, Chapter 355, amended Acts of 1907, Chapter 236, by removing Putnam County from the list of exempted counties.
3. Private Acts of 1911, Chapter 564, amended Acts of 1907, Chapter 236, by removing several counties from the list of exempted counties. Putnam County was included.
4. Private Acts of 1919, Chapter 644, abolished the County High School Board, the County Board of Education, and the District Advisory Boards as of September 1, 1920, and placed the operations of the elementary and high schools in Putnam County under the County Board of Public Education established under this Act. The new Board would be made up of six members elected by the County Court and the Superintendent who would be an ex-officio member and secretary. The members of the County High School Board were to continue in office after September 1, 1920 until their terms have expired. Some of the duties of the Board and the Secretary were specified in the Act. The Superintendent was charged with the responsibility to issue warrants for the Board and keep records. The Board would meet regularly on the first Saturday in January, April, July, and October, and at such other times as the Chairman, or Superintendent decided. A District School Commissioner would be elected in each civil district to serve a two year term. Five specific duties were outlined in the Act for District Commissioners to perform.
5. Private Acts of 1921, Chapter 390, amended Private Acts of 1919, Chapter 644, by adding to the duties of the members of the Board of Education. They included the obligation to visit the schools in their Districts to see that they were run properly, that the attendance did not fall below the number fixed in the teacher's contract, and to make monthly reports to the County Superintendent on the condition and status of the school. He would be paid \$2 for each report but the report must include all the schools in the District. If the reports were not submitted properly and on time, the office could be declared vacant.
6. Private Acts of 1943, Chapter 144, stated that in the event the Chairman of the Board of

Education of Putnam County entered the armed services of the United States, the County Judge would serve as the Chairman in the absence of the regular chairman and would be clothed with all the powers and would perform all the duties of that office during that time but the County Judge would not be compelled to execute a new bond.

7. Private Acts of 1979, Chapter 127, amended the Private Acts of 1963, Chapter 14, relative to the compensation of the board of education.

School Districts

The private acts listed below are no longer in effect in Putnam County.

1. Acts of 1891, Chapter 216, created a school district in Putnam County and Smith County which consisted of the farms of Phillip Apples, C. F. Burton, R. G. Apple, James McKinley, Robert McKinley, B. F. Brinley, and John Watts, all of Putnam County, and the farms of Wirt Apple, A. P. Apple, Dr. F. M. Amonnett, J. C. Fletcher, James Fletcher, and W. C. Apple, all of Smith County. This school district would have and enjoy the benefits conferred upon all other school districts. A board of three Directors would be elected from that part of each county comprising the school district. This Act was repealed by Acts of 1899, Chapter 329.
2. Acts of 1903, Chapter 511, transferred the title to the two public school houses and the land upon which they were located in the 18th Civil District of Putnam County, as they were described in this act, from the State of Tennessee to the Board of Public School Directors of the School District and their successors.
3. Acts of 1905, Chapter 166, formed an independent school district to be called School District #21, out of portions of the Eleventh, Twelfth, and Seventeenth District, near Gentry which area was described in this act, and by naming the owners of the farms and the families which were included within the District. This Act was repealed by Acts of 1907, Chapter 575.
4. Acts of 1905, Chapter 457, amended Acts of 1905, Chapter 166, so as to exclude the lands of L. F. Elrod, A. B. Thompson, and W. A. Holladay, of the Twelfth District; the lands of J. H. Jared, Monroe Huddleston, John Boyd, James McKinley, R. B. McKinley, and Mary Bush, of the Eleventh District, all to revert to the Districts in which they were formerly located.
5. Private Acts of 1921, Chapter 490, formed the Algood School District out of the entire 19th Civil District of Putnam County. On Saturday, April 2, 1921, an election was to be held in that District by the Election Commission which would decide by the vote of the people the question of whether or not the School District would issue up to \$30,000 in bonds. In the event the vote was affirmative, the Act named H. T. Painter, Dr. J. T. Moore, and C. H. Hickman, as a Bond Commission for the Algood School District to supervise the sale of the bonds at an interest rate not to exceed 6%, and at a maturity schedule no longer than thirty years from the issue date. The proceeds of the bond issue were to be used to purchase a site and build a school in the District, the title to which would be vested in the Board of Education in trust for the District. The management of the school would be in the hands of the County Board of Education. A general property tax of 40 cents per \$100 would be levied on all property in the Algood School District to pay the interest on the bonds and fund the school for a nine month term. The County Court could levy a tax in the district to amortize the bonds. A poll tax of \$1 was placed upon each legal voter in the District over the age of 21. (The constitutionality of this Act was attacked in the case of Greenwood v. Rickman, 145 Tenn. 361, 235 S.W. 425, (1921) but the constitutionality of the Act was upheld.)
6. Private Acts of 1921, Chapter 644, amended Private Acts of 1921, Chapter 490, to postpone the date of the election provided for therein from April 2 to April 30.
7. Private Acts of 1921, Chapter 828, created the "Buffalo Valley Special School District" and made the same co-extensive with the boundaries of the Ninth and Eleventh Civil Districts in the county which included the village of Buffalo Valley. The District would be supervised by a five member Board to which the Act named C. B. Maddox, R. L. Alcorn, H. C. McKenley, and W. G. Travis as four of the first five members of the Board. Vacancies would be filled by the other members of the Board. The regular Board members would serve two years and be elected by the people of the District. Eleven specific powers and duties related to the Board were enumerated in Section 5 of the Act. When the correct scholastic census was established, the school funds would be pro-rated upon that basis. In order to support the District and keep the High School in operation for 9 months in the year, a tax levy of ten cents per \$100 property valuation was required to be levied upon all the properties in the District. All children between ages of six and twenty-one residing in the area could attend the school free of charge, but others must pay according to rates of tuition established by the Board. This Act could be repealed only by a three-fourths vote of the people.

8. Private Acts of 1927, Chapter 86, amended Private Acts of 1921, Chapter 490, which established the Algood Special School District in 19th Civil District of Putnam County, by increasing the tax rate levied for the support and maintenance of the schools in the District from 40 cents to 60 cents per \$100 property valuation.
9. Private Acts of 1927, Chapter 687, established the Baxter School District in Putnam County which included the area embraced by the 20th Civil District. The management of the District would remain in the hands of the County Board of Education, it being the intention of this Act to secure additional funds through a tax levy to lengthen the school term to nine months and to pay the interest on \$15,000 in bonds issued by the City of Baxter used to erect the school. A general tax of 50 cents per \$100 property valuation was levied in order to pay the interest on the bonds. If anything remained after that it would be used in the operation of the School. A poll tax of \$1 on all voters between 21 and 50 was also levied in the District. This District was abolished by Private Acts of 1929 (Ex. Sess.), Chapter 56.
10. Private Acts of 1929 (Ex. Sess.), Chapter 56, recited in the preamble of the Act that Private Acts of 1921, Chapter 490, established an independent school district in Putnam County granting to it the authority to issue \$30,000 in bonds with which to construct and equip a school building. These bonds were sold and applied to the erection of a school building at Algood, and, further, that Private Acts of 1923, Chapter 90, was the authority for the city of Baxter to issue \$10,000 in bonds with which a public school building would be built, which bonds were also sold and devoted to that purpose, and now it had become necessary to sell the bonds of Putnam County to construct additional school buildings and to reimburse Algood and Baxter for the buildings constructed by them. This Act was the legislative authority subject to prior approval of the same by the people in a referendum vote, for the Quarterly Court of Putnam County to sell bonds up to \$200,000, at an interest rate not to exceed 5½%, and on a maturity calendar not to exceed 20 years from the date of issue with which to build a suitable high school in Cookeville at \$100,000, to purchase the school at Algood for a price not to exceed \$25,000, to purchase the school at Baxter to cost \$10,000 or under, a school at Monterey at a top figure of \$25,000, and \$5,000 would go for a heating plant at Baxter with \$35,000 being allocated to the remainder of the rural schools of the county.
11. Private Acts of 1931, Chapter 621, amended Private Acts of 1921, Chapter 86, so that the general tax levy for the support and maintenance of the Algood School District was reduced from 60 cents to 45 cents per \$100 property valuation. This Act was repealed by Private Acts of 1935, Chapter 436.
12. Private Acts of 1935, Chapter 436, repealed Private Acts of 1931, Chapter 621, and revived Private Acts of 1921, Chapter 86. The tax levy for the year 1935 in this District would be 60 cents per \$100 property valuation.

Superintendent or Director of Schools

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

1. Private Acts of 1919, Chapter 211, provided that the County Superintendent of Public Instruction in Putnam County would be elected by the qualified voters of the county for a two year term at the regular general August election. The Act would in no way effect the duties, qualifications or compensation of the County Superintendent. This Act was repealed by Private Acts of 1925, Chapter 781.
2. Private Acts of 1943, Chapter 212, amended Private Acts of 1935 (Ex. Sess.), Chapter 122, by setting the compensation of the Superintendent of Schools at not less than \$2,400 a year, and not more than \$3,000 annually, from all sources, and provided further, that the Putnam County Quarterly Court would match all additional money from the State over and above \$1,000 for the Superintendent. This Act was repealed by Private Acts of 1947, Chapter 416.

General Reference

The following acts constitute part of the administrative and political heritage of the educational structure of Putnam 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 1841-42, Chapter 169, Section 16, in the Act which originally created the County of Putnam established a county academy at Monticello which would possess and enjoy all the rights and emoluments as other county academies. The County Court was directed to appoint Trustees

- for the academy who were given the special authority to name the academy as they thought proper, or to change the name of both the school and the town, if they desired.
2. Acts of 1845-46, Chapter 71, provided that when the fractions of the counties of White, Overton, and Jackson formerly composing Putnam County would through their county court clerks make return of their scholastic population in those areas for the years 1844 and 1845 to the Comptroller of the Treasury, that, if it appeared to the Comptroller that those counties did not receive their proper share of school funds for those years, then the Comptroller must pay to the Trustees of the said counties such sum of money as the county might deserve.
 3. Acts of 1847-48, Chapter 31, directed that the balance of the school fund apportioned to Putnam County for 1844 which remained undrawn from the Treasury would be paid to the Trustees of White County, Overton County, and Jackson County, on a pro-rated basis according to the scholastic population reported for those counties in 1844, and the same would be applied to the exclusive benefit of the fraction of those Counties. The school fund due Putnam County in 1845, which has never been apportioned, or set apart in the treasury, would likewise be paid to the Trustees of the three above named counties.
 4. Acts of 1847-48, Chapter 91, incorporated Andrew College which would be located at the site of Jackson Academy in Putnam County, naming Isaac Buck, and Jonathan Buck, Jr., as the incorporators and the proprietors of the academy, as well as the faculty. Grants of specific powers for the operation, management, and internal discipline of the school were incorporated into this Act. A. Cullom, William B. Potter, S. D. Lisle, Nathan Jud, A. Dibrell, William Jased, A. Rodgers, R. G. Burton, and B. D. Hunter were appointed as a Board of Visitors for the College. The funds set aside for the academy of Putnam County for the years 1843 and 1844 were hereby donated to Andrew College.
 5. Acts of 1868-69, Chapter 3, Section 2, reenacted Acts of 1847-48, Chapter 91, which incorporated Andrew College in Putnam County, and restored the same to full force and effect.
 6. Acts of 1893, Chapter 158, authorized and required the Board of Trustees of Washington Academy in Cookeville in Putnam County to transfer and convey by deed to the Board of Directors of the Cookeville High School the land upon which the academy was located. This land to be used forever for educational purposes.
 7. Acts of 1899, Chapter 360, was the authority and the directive for the Board of Directors of the Cookeville High School in Putnam County to convey all right, title, and interest of the school in the building and grounds thereof, to J. H. Curtis, J. F. Dyer, J. Whitson, James Isbell, and W. W. Smith, the Trustees of Cookeville Collegiate Institute, which were the same facilities formerly located on the Old Washington Academy premises. The voters of Cookeville, would elect the Trustees for the Institute on the last Saturday in April, 1900, and every two years thereafter. The Trustees would conduct a high school at said Institute. A description of the area embraced by the school district was included in the Act. The Trustees were prohibited from making any contracts which would extend beyond their term of office.
 8. Acts of 1901, Chapter 342, amended Acts of 1899, Chapter 360, to provide that whenever a vacancy occurred in the Trustees of the Cookeville Collegiate Institute, the Sheriff of the County, after giving ten days notice, would hold an election to fill the said vacancy for the unexpired portion of the term.
 9. Private Acts of 1905, Chapter 260, was the enabling legislation for the Board of Directors of the Cookeville High School to transfer by deed such title, as by law belonged to the said Board of Directors, to the Mayor and Aldermen of the town of Cookeville to the land, the buildings, and their appurtenances, on which the said facility was located, the conveyance to be forever used for educational purposes.
 10. Private Acts of 1929 (Ex. Sess.), Chapter 11, obligated the Quarterly Court of Putnam County to provide sufficient funds which together with all other High School funds to which the County was entitled from every source including the apportionment of state school funds for High Schools, so as to maintain a first class, four year High School within the County seat of Putnam County.

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