



December 25, 2024

Private Acts of of 1933 Chapter 136

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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Private Acts of of 1933 Chapter 136

SECTION 1. That there is hereby created and established in all counties of the State of Tennessee having a population of not more than 18,080 and not less than 18,070, according to the Federal Census of 1930 or any subsequent Federal Census, a system of public education, and conferring upon the Board of Education herein created and provided for jurisdiction, supervision and control over the elementary and high school of such counties.

SECTION. 2. The County Board of Education of Overton County shall consist of ten (10) members with two (2) members to be elected from each of the five (5) Magisterial Districts of Overton County as follows:

Magisterial District 1 shall constitute school zone 1.

Magisterial District 2 shall constitute school zone 2.

Magisterial District 3 shall constitute school zone 3.

Magisterial District 4 shall constitute school zone 4.

Magisterial District 5 shall constitute school zone 5.

As amended by: Private Acts of 1935, Chapter 30
Private Acts of 1972, Chapter 376
Private Acts of 1986, Chapter 151
Private Acts of 1999, Chapter 3

SECTION 3. In order to implement staggered terms for all members of the Board of Education, members added by this act in school zones 1 and 4 shall be elected by two-year terms at the August General Election in 2000, and members added by this act to the Board of Education in school zones 2, 3, and 5 shall be elected to four-year terms at the August General Election in 2000. Thereafter, all members shall be elected to full four-year terms at subsequent August General Elections. Existing positions on the Board of Education shall continue to be filled for full four-year terms with the existing positions in school zones 1 and 4 filled in the 2002 August General Election and the existing positions in school zones 2, 3, and 5 being filled in the 2000 August General Election.

Each member shall be a resident of the zone which that member represents and shall be elected by the qualified voters of the zone or zones from which the members shall be elected. Nothing in this act shall be construed as having the effect of removing any incumbent member of the County Board of Education from office or abridging the term of any member prior to the end of the term for which he was elected.

The positions created by this act are created as of the effective date of this act, and may be filled by the County Legislative Body until the persons elected at the August 2000 General Election were qualified and take office.

As amended by: Private Acts of 1935, Chapter 30
Private Acts of 1972, Chapter 376
Private Acts of 1986, Chapter 151
Private Acts of 1999, Chapter 3

SECTION 4. That said County Board of Education shall have the same powers, rights and jurisdiction and shall perform the same functions and duties as are now conferred upon the County Boards of Education under and by virtue of Chapter 115, Acts of 1925, commonly known as the School Law, except as hereinafter provided.

SECTION 5. That said County Board of Education shall be elected by the Quarterly County Court of said county at the quarterly session thereof on the first Monday in April, 1933, and the members of said Board shall hold their offices until the next regular election to be held in August, 1934, at which time their successors shall be elected by the qualified voters of said counties at said regular August election, and they shall hold office for two years or until the next regular election or until their successors are elected and qualified. Said County Board of Education to be elected by the Quarterly Court at its April session in 1933 shall meet on said date or as soon thereafter as is practicable and proceed to organize said Board by the election of one of their members as Chairman, whose duties shall be the same as now conferred upon the Chairman of the County Board of Education under said Chapter 115, Acts of 1925, and likewise the County Board of Education to be elected at the regular August Election, 1934, shall on the first day of September next following thereafter proceed to elect a Chairman from one of their number.

The duties of the County Superintendent of Public Instruction under this Act shall be the same as now fixed by law, and he shall render to said County Board of Education the same services and perform the same duties as now prescribed by law, except that it shall be the duty of the County Superintendent to accept the assistance of the Supervisory Board of Education of the Town of Livingston in so far as they relate to the selection of teachers and other officers in the schools of this particular town district; and the

said County Board of Education is hereby required to only select or elect officers, teachers and other school employees in said Town of Livingston as are recommended by the Supervisory Board of Education of said Town of Livingston; provided, always, that those selected and recommended by the Advisory Board are in all respects qualified under the general school laws of the State of Tennessee for their respective positions, and it is hereby made unlawful for said County Board of Education to elect or select any other person or persons for said positions in said schools, it being the intention of this Act to confer upon said Advisory Board of Education of the Town of Livingston the right and power to designate and select those who are to be elected in the schools of said Town of Livingston.

As amended by: Private Acts of 1935, Chapter 30
Private Acts of 1943, Chapter 382

SECTION 6. That the members of the County Board of Education shall receive as compensation for their services the sum of \$7.50 per day for each day actually devoted to the duties of their office but not to exceed the sum of \$150.00 for any one year, their compensation to be paid from the school funds of said County.

The members of the Board of Education who shall be elected by the people at the next regular August election shall hold their offices for a term of two years from the first day of September next following said August election, and their successors shall be elected biennially thereafter.

As amended by: Private Acts of 1951, Chapter 328

SECTION 7. That upon the election of the members of the Board hereby created by the Quarterly County Court in April, 1933, the terms of the members of the present Board of Education shall expire, and it shall be the duty of the Chairman and the members of the present Board of Education to turn over to the Board herein and hereby created all books, records and property belonging to the schools of said counties.

SECTION 8. That in the transaction of all the business of the Board, the meetings shall be open and public except that if it should appear at any time in the judgment of the Chairman of the Board with the consent of the County Superintendent of Public Instruction that it is to the best interests of the public and the schools of the county that said Board go into executive session for the transaction of their business, said Board may perform its duties in executive session, but a full and complete public record of same shall be available to all the people.

SECTION 9. That if any section, paragraph, word or phrase of this Act for any reason shall be declared unconstitutional, it shall not operate to render said Act unconstitutional. The remaining portions of said Act shall remain in full force and effect.

SECTION 10. That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 21, 1933.

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