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Chapter VI - Education/Schools

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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Chapter VI - Education/Schools

Board of Education

Private Acts of 2002 Chapter 135

SECTION 1. Chapter 522 of the Private Acts of 1927, and all other acts amendatory thereto, are hereby repealed.

SECTION 2. Meigs County shall be divided into five (5) school districts of substantially equal population, which shall be coextensive with the five (5) county legislative body districts established by resolution of the county legislative body from time to time.

SECTION 3. The Meigs County Board of Education shall consist of five (5) members, with one (1) member of the board being elected by the qualified voters in each school district on a nonpartisan basis. Board members shall be elected to staggered four (4) year terms so that the terms of approximately one-half (½) of the members expire every two (2) years. Persons elected in the regular August general election shall take office on September 1 following the election and shall serve until their successors are duly elected and qualified.

SECTION 4. The current terms of incumbent members of the Meigs County Board of Education who represent present Districts 1 and 4 and who were elected to serve until September 2004 shall not be cut short as a result of changes in the school districts. At the August 2002 election, board members shall be elected to serve new Districts 2, 3 and 5.

SECTION 5. The Meigs County Board of Education shall have the powers, duties, privileges and qualifications given boards of education in Tennessee Code Annotated, Title 49.

SECTION 6. 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 the 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 7. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Meigs County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Meigs County and certified to the secretary of state.

SECTION 8. 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 as provided in Section 7.

Passed: April 24, 2002.

Warrants

Private Acts of 1941 Chapter 54

SECTION 1. That in counties of this state having a population of not less than 6,382, nor more than 6,390, by the Federal Census of 1940, or any subsequent Federal Census, whenever any county school warrant, either high school or elementary, shall have been duly registered with the County Trustee and shall have been stamped by him showing the date of such registration, then and from that date such warrants shall bear interest at the legal rate fixed by statute in this State.

SECTION 2. That it shall be the duty of the County Trustee to pay both principal and interest upon said warrants, in the order of their registration, as soon as there shall come to his hands sufficient funds allocable to the fund from which such warrants are payable.

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

Passed: January 20, 1941.

Education/Schools - Historical Notes

Board of Education

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

1. Private Acts of 1927, Chapter 522, divided Meigs County into school districts, provided for the

number, election and terms of members of the Meigs County Board of Education. This act was repealed by Private Acts of 2002, Chapter 135.

Superintendent of Schools

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

1. Private Acts of 1937 (3rd Ex. Sess.), Chapter 13, provided that the County Court in all counties of Tennessee having a population of not less than 6,125 nor more than 6,135 according to the Federal Census of 1930 or any subsequent Federal Census shall pay its County superintendent of Public Schools not less \$1,000 per annum to be supplemented by the State.
2. Private Acts of 1939, Chapter 410, repealed Chapter 13 of the Private Acts of 1937.
3. Private Acts of 1978, Chapter 260, provided that the superintendent of education be elected by the qualified voters for a term of four (4) years beginning September 1, 1982.

General References

The following acts constitute part of the administrative and political heritage of the educational structure of Meigs 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 1837-38, Chapter 78, Section One, created Decatur Academy, naming Joseph McCorkle, James Lillard, Robert Elder, John McCallom, William Matchlack, James Cowen, Walford Rucher, William Man, Samuel McDaniel, John K. Farmer, and William Kerr as Trustees of the Academy. The act granted specific powers to and imposed certain duties upon them. This school would be the county academy of Meigs County and Joseph McCorkle would serve as the Chairman of the Board of Directors.
2. Acts of 1839-40, Chapter 138, authorized the Clerk of the common school district fund in which lies the chief part of arable land of any school section in the Ocoee District in Meigs, Hamilton, and Marion Counties to have the management of the whole section and the clerk shall rent the land for longer periods of time, not to exceed five years, when it was necessary to erect water supply systems or other valuable improvements thereon. The Clerk would also keep all the accounts and distribute the funds.
3. Acts of 1895, Chapter 121, created a new school district, to be called Georgetown Academy, out of parts of Bradley, James, and Meigs counties with a metes and bounds description of the area embraced by the district. The Academy would have all the rights, privileges, emoluments and obligations of other school districts. There would be three Directors, one from each county, who would be elected as were other school directors. Each county would pay its per capita part of the expenses according to the scholastic population of that county who were attending school in this district proportioned to the total number of students.
4. Public Acts of 1907, Chapter 236, abolished the offices of District Directors of Education and created County Boards of Education, who would be assisted by District Advisory Boards for every county in Tennessee except the few who excluded themselves from the operations of this Act in Section 17, Meigs not being one of them. The Boards would consist of one member from each of five school districts, composed of whole civil districts, into which each county would be divided. The duties of the Chairman of the Board, the Secretary, and the Superintendent, who would be ex-officio Secretary, are all spelled out. Three citizens from each Civil District would be on the Advisory Board for a two year term on which a vacancy would be filled by appointment of the Superintendent. This Act did not apply to city schools and was the basis of litigation in Whitthorne v. Turner, 155 Tenn. 303, 293 S.W. 147, (1927).
5. Private Acts of 1939, Chapter 407, provided that in Meigs County the Superintendent of County Schools would be elected by the people at the general August election, 1940, for a four year term beginning September 1, 1940. The Quarterly Court was directed to fill the vacancy in the office then existing. This act would not affect any provision of qualification and all other terms and conditions would remain. All candidates must prove their qualifications before running. The annual salary was \$1,000 payable in equal monthly installments. This Act was repealed by Chapter 260, Private Acts of 1978.

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