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Chapter VI - Education/Schools

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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 108

SECTION 1. Chapter 234 of the Private Acts of 1992, and all other acts amendatory thereto, are hereby repealed.

SECTION 2. Hickman County shall be divided into seven (7) school districts of substantially equal population, which shall be coextensive with the county legislative body districts established by resolution of the county legislative body from time to time.

SECTION 3. The Hickman County Board of Education (the "board") shall consist of seven (7) members, with one (1) member of the board being elected by the qualified voters in each school district on a non-partisan basis. Board members shall be elected to staggered four (4) year terms, with districts 4, 5 and 6 expiring at the same time and districts 1, 2, 3, and 7 expiring at the same time. 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. During the transition from five (5) to seven (7) members, all incumbent board members shall remain on the board until the expiration of their current terms. To establish staggered terms as provided in Section 3, new board members shall be elected as follows: At the regular August 2002 election, one (1) board member shall be elected to a four (4) year term from each of districts 4, 5 and 6, and one (1) board member shall be elected to a two (2) year term from district 7. At the regular August 2004 election, one (1) board member shall be elected to a four (4) year term from each of districts 1, 2, 3 and 7. Thereafter, board members shall be elected to four (4) year terms as their terms expire.

SECTION 5. The Hickman County Board of Education shall have the same powers, duties, privileges and qualifications as the board of education established pursuant to 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 Hickman County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Hickman County and certified to the Secretary of State.

SECTION 8. For the purposes 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 7.

Passed: March 27, 2002.

Bus Driver Contracts

Private Acts of 1945 Chapter 483

SECTION 1. That County Boards of Education in counties of this State having a population of not less than 14,800 persons, nor more than 14,900 persons, according to the Federal Census of 1940, or any subsequent Federal Census, be and they are hereby authorized to contract with drivers of school busses for a period of not to exceed three years from the beginning of the first scholastic year in which such contracts shall be effective. Such contract shall be on forms prescribed by the State Department of Education and when entered into shall be filed in the office of the County Superintendent of Education and be available as a public record. Provided, however, that such contracts shall be voidable at the option of the County Board of Education if may or filed within two months next preceding the going out of office of a majority of the County Board of Education, authorizing such contract.

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

Passed: February 23, 1945.

Fairgrounds Lease

Private Acts of 1957 Chapter 201

Whereas, the County Board of Education of Hickman County is the owner of a certain parcel of land which is deemed suitable for the holding of a County Fair; and

Whereas, numerous public spirited citizens of that County are most desirous of holding an annual County Fair; and

Whereas, the parcel of land now owned by the County Board of Education is by far the most desirable parcel of land for such purpose;

Now, therefore,

SECTION 1. That the County Board of Education of Hickman County is hereby authorized to lease to any non-profit corporation or association desirous of conducting a County Fair in Hickman County the above mentioned tract of land for so long a period during each calendar year as may be necessary to enable such corporation or association to conduct a County Fair, for such consideration as may seem adequate to the Board of Education. Provided, however, that the County Board of Education shall not be liable to said corporation or association or any other person for any damages arising from the condition of the leased premises.

SECTION 2. That this Act shall be void and of no effect unless within 6 months from the date of final legislative action thereon the same shall be approved and ratified by a two-thirds majority of the Quarterly County Court.

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

Passed: March 11, 1957.

Superintendent of Public Instruction

Private Acts of 1929 Chapter 119

SECTION 1. That hereinafter the County Superintendent of Public Instruction in and for Counties having a population of not less than 16,210 and not more than 16,230, according to the Federal Census of 1920, or any subsequent Federal Census, shall be elected by the qualified voters of said County at the Regular Election to be held on the first Thursday in August, 1930, and every two years thereafter, whose term of office shall begin on January 1, 1931, and continue for two years and until his successor is elected and qualified, whose qualifications shall be the same as now fixed by law, which certificate of evidence of qualification shall be filed with the Chairman or Judge of the County Court of said County, and whose duties shall be the same as now defined by law and whose compensation shall be that provided and allowed under the law.

SECTION 2. That all laws and parts of laws in conflict with this Act shall be, and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 4, 1929.

Education/Schools - Historical Notes

Board of Education

The following acts once affected the board of education in Hickman 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, set up a board of education in every Tennessee County, abolishing the position of school directors in the county, and required the quarterly court to divide the county into five districts from each of which one member of the board of education would be elected by the people in the district. The duties of the chairman, the secretary, and the other members of the board were all itemized. The school superintendent would be ex officio secretary to the board. A local board of three members would be elected in each district as an advisory board to serve two year terms whose responsibilities were likewise stipulated in the act which included the formation of a scholastic census and the keeping of attendance records. The act did not apply to city school systems and nine counties, not including Hickman, were exempted from this law in Section 17. See Whitthorne v. Turner, 155 Tenn. 303, 293 S.W. 147 (1927).
2. Acts of 1909, Chapter 302, amended Public Acts of 1873, Chapter 25, a statewide educational act, beginning with Section 10, and created a county board of education composed of one member from each civil district, the county judge, or chairman, and the superintendent of public

instruction who would be ex officio chairman of the board. Members would be elected by the people on the first Thursday in August, 1910, to serve two year terms. The superintendent would fill any vacancies until the next general election. The duties of the chairman, the secretary, and the members of the board were all itemized in the act, including the taking of an annual scholastic census. Proper and accurate reports were required to be submitted in accordance with the terms of this act. This act was applicable to Hickman and nine other counties by the quotations of population figures denoting them.

3. Private Acts of 1911, Chapter 564, amended Acts of 1907, Chapter 236, by striking out several of the federal census population figures that were listed at the end of the original act, thus making said act applicable to counties falling within those population figure ranges. This amendment had no effect on Hickman County, as the act was already applicable to said county.
4. Public Acts of 1915, Chapter 48, amended Private Acts of 1911, Chapter 564, by striking out one set of population figures and inserting the population figure range which contained that population figure for Hickman County for 1910, thus making the original act no longer applicable to Hickman County.
5. Private Acts of 1929, Chapter 671, established a board of school commissioners in Hickman County, consisting of seven members, one from each of the seven school districts described in the act which were composed of whole civil districts. The members would be elected to two year terms in August, 1930, and the quarterly court would fill all vacancies until the next general election. All candidates for the board were to be qualified as set forth therein, and were to be paid \$5.00 per day for each day actually served, up to 15 days annually. The board was to meet in regular session on the first Monday in March, June, September, and December. The superintendent of schools was to be ex officio secretary of the board. The board was to have overall supervision and control of all public schools, the old board being abolished as of September 1, 1930.
6. Private Acts of 1933, Chapter 468, amended Private Acts of 1929, Chapter 671, Section 3, paragraph 3, above, by striking the \$5 per day compensation for members of the school board and inserting \$4.00. The act also created an eighth school district by taking the second civil district out of the third school district and the fifteenth civil district out of the seventh school district and combining the two to form a new school district.
7. Private Acts of 1937, Chapter 136, amended Private Acts of 1929, Chapter 671, Section 3, by requiring that the per diem compensation for the members of the board of school commissioners be paid, in the future, out of the elementary school funds of the county in place of the general funds of the county.
8. Private Acts of 1945, Chapter 396, amended Private Acts of 1929, Chapter 671, Section 2, by creating an eight-member board of school commissioners, one to be elected by the people from each of the eight school districts, with four to serve two-year terms, and four to serve four-year terms. Hickman County was divided into eight school districts, composed of whole civil districts. No justice of the peace, or county officer, was to be eligible to serve as a member. Members would be paid \$4.00 a day for each day devoted to attendance at meetings of the board and to other duties, not exceeding 15 days each year.
9. Private Acts of 1955, Chapter 98, provided that in Hickman County (identified by the use of the 1950 Federal Census), members of the board of education were to be paid the sum of \$10 per day for each and every day actually attended at all board meetings, and, in addition, the sum of five cents per mile for each mile necessarily traveled to attend the meetings. This act was rejected by the quarterly court and therefore never took effect in Hickman County.
10. Private Acts of 1959, Chapter 146, stated that members of the board of education in Hickman County would be paid for their attendance at all meetings of the board of education \$10 per day for each and every day actually attended plus five cents per mile for each mile traveled between home and the meetings of the board. This act recited that the governor returned this bill unsigned after keeping it five days, which placed it in effect, but, then the quarterly court of Hickman County failed to ratify it and thus nullified it entirely.
11. Private Acts of 1965, Chapter 272, also stated that members of the board of education of Hickman County (designated by the 1960 Federal Census population figure) were to be paid for their attendance at all meetings of the board of education the sum of \$10 per day, and also the sum of 5 cents per mile for each mile necessarily traveled to attend said meetings. This act was subsequently repealed by the current act in force, Private Acts of 1992, Chapter 234.
12. Private Acts of 1969, Chapter 85, amended Private Acts of 1945, Chapter 396, by redistricting Hickman County into five school districts which were composed of whole civil districts. The present

commissioners were to remain in office until their terms expired and then one commissioner would be elected from each of the five school districts. This act was to repeal Private Acts of 1929, Chapter 671, in its entirety, but was rejected by the Hickman County Quarterly Court and never became law.

13. Private Acts of 1992, Chapter 234, and all other acts amendatory, divided Hickman County into 5 school districts and provided for the number, election and terms of members of the board of education. This act was repealed by Private Acts of 2002, Chapter 108.
14. Private Acts of 1992, Chapter 242, was to have divided Hickman County into five school districts and repeal Private Acts of 1929, Chapter 671; Private Acts of 1933, Chapter 468; Private Acts of 1937, Chapter 136; Private Acts of 1945, Chapter 396 and Private Acts of 1965, Chapter 272, but that act was never ratified locally and therefore never became law.

Superintendent or Director of Schools

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

1. Private Acts of 1933, Chapter 603, set the compensation of the county school superintendent of Hickman County at \$1,800 annually, provided the state portion of the amount would be matched by the county, and, if the amount paid by the state was more than one-half of the above salary, the salary would be that amount plus a matching amount by the county but never at any time would the salary be less than \$1,800. The compensation would be paid in equal monthly installments.
2. Private Acts of 1933, Chapter 661, was the legal authority for the county superintendent and chairman of county school board to vote at all meetings of the county school board in case there was a tie vote but not otherwise. The chairman of school board, who was elected by the people the same as the other members, was also empowered to vote at school board meetings on all questions.

General References

The following acts constitute part of the administrative and political heritage of the educational structure of Hickman County but are no longer operative since they have either been superseded, repealed, or failed to receive local approval.

1. Acts of 1809, First Session, Chapter 109, named James Barr, Hugh Ross, William Wilson, John Holland, John McCaleb, Alexander Gray, and William Ward, as the trustees of Johnson Academy which was incorporated in Hickman County having perpetual succession and a common seal.
2. Private Acts of 1825, Chapter 241, named added trustees for various county academies across the state, among whom were Eli Hornbeck, Samuel Sebastian, James Scott, Henry Nixon, and Alexander Gray for Centerville Academy in Hickman County.
3. Private Acts of 1832, Chapter 92, Section 5, provided that part of the internal improvement fund, and the interest on it, which was set apart by the general assembly, would be paid over by the cashier of the Bank of Tennessee to the chairman of the board of common school commissioners for Hickman County, or to his order, but the money must be used for the good of the common schools in the county under the same rules and regulations applicable to similar uses in other counties.
4. Acts of 1837-38, Chapter 124, Section 10, incorporated Robert Shegog, William N. Holt, Millington Easley, Thomas W. Easley, William H. Caruthers, Bassell B. Satterfield, and Jacob Humble, as the trustees of Vernon Academy in Hickman County. The same act also named David B. Warren, James D. Easley, John G. Easley, and Samuel Sebastian as trustees and incorporators of Centerville Academy in Hickman County under the same rules and regulations as Arrington Academy in Williamson County.
5. Acts of 1839-40, Chapter 102, named the official county academies for every county in the state. In Hickman County the official county academy was Centerville Academy to which the funds of the state would be paid as such. Section 13 repealed the 1838 Act which named the trustees of Centerville Academy.
6. Acts of 1841-42, Chapter 174, Section 3, validated and confirmed the election of the trustees for Centerville Academy in Hickman County as the same was conducted by the county court at its July, 1840, term. The nomination of all the trustees was pronounced as good and valid as if prescribed by law at the time.
7. Acts of 1845-46, Chapter 16, was the enabling act for the incorporation of Samuel B. Moore, William G. Clagett, A. M. Williams, William H. Foster, and John B. Gray, as the trustees of the

- Centerville Female Academy with all the incidental powers and privileges common to corporations and the trustees could make any and all by-laws not inconsistent with the laws of the state.
8. Acts of 1845-46, Chapter 189, Section 7 and 8, declared that the taxes levied for county purposes, on property and polls in the territory attached to Perry County from Hickman and Wayne counties, for the year 1846, be collected by the sheriffs or revenue collectors of Hickman and Wayne counties, and paid to the trustee of Perry County for the use and benefit of Perry County. Furthermore, the act directed that the trustee of Hickman County to ascertain from the common school commissioners the scholastic population at the last enumeration and pay over to the trustees of Perry and Decatur counties its portion of the school fund.
 9. Acts of 1849-50, Chapter 87, divided Centerville Male Academy into two branches, one for males, and the other branch for females, which branches would be separately organized and share equally in all funds. A. M. Williams, S. B. Moore, C. Johnson, R. E. Grinder, and Pleasant Walker, were named as trustees for the latter school. Funds could be appropriated to build the female branch, if necessary.
 10. Acts of 1853-54, Chapter 208, Section 5, divided the Centerville Male Academy in Hickman County into two branches, one for males and the other for females. Each division would share equally in all the funds becoming available to the academy.
 11. Acts of 1855-56, Chapter 237, declared that the limits of the town of Centerville would hereafter constitute a common school district hereafter numbered 45. All the children residing in the district must be included within the scholastic population and all the educational funds were to be shared equally by the Centerville Male and Female Academies.
 12. Private Acts of 1869-70, Chapter 90, was the enabling legislation which incorporated H. Williams, O. A. Nixon, W. M. Johnson, H. Claggett, and Leonidas Walker, and their successors as the "Centerville Female Academy," being granted all the incidental corporate privileges. The board of trustees was given the authority to make all the regulations and by-laws necessary for the orderly management of the school and its internal discipline.
 13. Public Acts of 1891, Chapter 189, was the legislative authority for the trustee of Hickman County to lend out the school funds, which were there in hand, or which might thereafter come into his hands, which funds were in excess of the amount required to carry on and maintain the common schools of the county for a period of one year, provided, that the security for any loan was first approved by the county court before the loan was made.
 14. Public Acts of 1895, Chapter 78, directed W. P. Coleman, W. M. Baxter, A. Norris, W. P. Clarke, and J. B. Walker, who were the directors of the Centerville Academy, to sell the real property owned by the school in the western portion of the town of Centerville for the best price obtainable and to pay the county trustee the amount previously spent on the building out of school funds. The remainder of the sale price would be paid into the common school fund for the use and benefit of the schools in general. Any dispute which might arise concerning any part of the transaction would be settled by the quarterly court.
 15. Private Acts of 1897, Chapter 309, authorized D. L. Johnson, J. C. Rodgers, and J. D. Cooper, who were the directors of the forty-second school district in Hickman County to sell on the best terms obtainable all the land remaining which belonged to the school district. The said land was located on the east side of Big Swan Creek in the twelfth civil district of Hickman County. The directors were obligated to pay all the debts of the district owned on the existing school building and to complete and furnish the same. The terms of the transaction must be acceptable to the superintendent of public instruction in the county.
 16. Acts of 1905, Chapter 292, established the Goodrich Special School District in Hickman County as the same was legally described in the act, which included the town of Goodrich. The new school district would be known as District #16 in the county and would enjoy all the rights and privileges, and be subject to all the regulations as other school districts were. The new school district would receive its pro rata share of school funds now on hand and hereafter to be disbursed in the seventh school district.
 17. Acts of 1905, Chapter 471, set up an additional school district in Hickman County beginning at the mouth of Mill Creek in the seventh civil district running east to Graham Station, including Clويد Plunkett's residence; south through Nunnelly Ore Miles by the old Warner Iron Company's washer to W. S. Nunnelly's line to Goodrich School District line at Bird's Creek to the mouth of the same; with the Piney River to Bob Bowen's line; northwest to the head of Pretty Creek, thence northeast to the point of the beginning. The new district would have all the rights and privileges and be subject to same regulations as similar school districts. The superintendent of public instruction in Hickman County would appoint three school directors to serve until their successors could be

- elected at the next general election. This district would be known as "School District #58".
18. Acts of 1907, Chapter 166, created a special school district in the fifth civil district of Hickman County which would be called the "Bon Aqua School District", beginning at the northeast corner of the fifth civil district in the south boundary line of the county, running with the said county line to Bear Creek at John Dunagan's farm; south so as to include Dunagan, William Tucker, and E. C. Tidwell to Boyard's Place on the Nashville and Pinewood Road; east with the said road to McCord Place on the road and thence north to the beginning. The act named W. G. Ligon, V. C. Weems, and W. R. Shouse to serve as directors until their successors could be elected at the next regular election. The directors were required to meet and organize themselves within 30 days after passage of this act and to report the scholastic census of the new district.
 19. Acts of 1907, Chapter 260, established a new special "School District #18" in Hickman County beginning in the Dickson County - Hickman County line at Joe's Branch; west with the said line to the east boundary of the fifth civil district; south with that line to the head spring of Mill Creek; southeast with the Columbia Road to Mill Creek Road; with the road east to the Nashville-Centerville Road and with that road to a point near Mrs. Sallie B. Stanfield's residence; thence north to the beginning. The act named S. A. Gentry, Alfred Tidwell, and J. T. Bateman to serve as school directors until their successors could be elected by popular vote at the next general election in the county. The scholastic census of the new area would be made and reported whereupon all the school funds would be divided proportionately.
 20. Private Acts of 1911, Chapter 566, provided that, in Claiborne, Union, and Hickman counties, each school would constitute a separate and distinct school district. The county board of education was to lay off the county into school districts, each of which was to have three Trustees who were to be elected by the people. The elections were to be held under existing election laws and the three receiving the highest number of votes in each district were to be the trustees. The trustees were to choose the teachers and other school employees but the board of education was to set their salaries. No teacher was to be selected by the county board of education over the objections of the trustees in that district.
 21. Private Acts of 1913, Chapter 205, organized the "Coble School District" in the ninth civil district of Hickman County which was bounded as described therein. The initial school directors were named to serve until their successors were elected by popular vote at the next general election. The new district would have all the rights of other school districts including an apportionment of school funds by the county trustee according to pupil population, as the same was reported and confirmed by the school directors.
 22. Private Acts of 1919, Chapter 448, amended Private Acts of 1911, Chapter 566, Section 1, by removing Claiborne County and Union County from its provisions, and leaving this act applicable only to Hickman County.
 23. Private Acts of 1925, Chapter 440, authorized the county judge in Hickman County (identified by the 1920 Federal Census) to appoint three commissioners for each school in the county. Said appointments were to be made annually and no later than May 1. The commissioners appointed were to recommend to the county board of education the teacher to be employed for the school for the coming year. The commissioners were to generally supervise the school, but were to serve without compensation.
 24. Private Acts of 1929, Chapter 670, authorized and empowered the county board of education in Hickman County to establish a system of three-year high schools in the county wherein the same subjects would be taught as were then being taught in four-year high schools. Said schools, if established, were to be operated and managed according to plans laid down by the state board of education. The county board of education was to appoint teachers, provided that any teacher so engaged had a high school certificate. Any additional teachers would have to be paid out of high school funds. The program and the curriculum was to be such that a student could transfer from a three-year high school to a four-year high school, and vice versa, without examination.
 25. Private Acts of 1929, Chapter 735, abolished the office of attendance officer for the schools in Hickman County. The compulsory school attendance law was to be enforced in that county by the county superintendent of public instruction and the sheriff and constables of the county were to execute all process arising at his instance. The sheriff and constables were to be paid the normal fees for serving the process, which was to be taxed as costs in the case.
 26. Private Acts of 1931, Chapter 274, provided that, in Hickman County, the county judge should appoint three commissioners for each school in the county, each year and no later than May 1. The commissioners so appointed were to recommend the teachers and other school personnel for that school year. The commissioners were to generally supervise the school and to serve without

compensation.

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