



May 16, 2024

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## Chapter VI - Education/Schools

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## Chapter VI - Education/Schools

### Board of School Supervisors

#### Private Acts of 1961 Chapter 60

**COMPILER'S NOTE:** This private act, as amended, has largely been superseded by general law found in Tennessee Code Annotated, title 49, chapter 2.

**SECTION 1.** There are hereby created and established five (5) school districts for Blount County, coextensive with the five (5) Justice of the Peace Districts, respectively, from which members of the County Board of School Supervisors shall be elected by the qualified voters of each district as follows:

Two (2) members shall be elected from the First School District, which is coextensive with the First Justice of the Peace District.

Two (2) members shall be elected from the Second School District, which is coextensive with the Second Justice of the Peace District.

One (1) member shall be elected from the Third School District, which is coextensive with the Third Justice of the Peace District.

One (1) member shall be elected from the Fourth School District, which is coextensive with the Fourth Justice of the Peace District.

One (1) member shall be elected from the Fifth School District, which is coextensive with the Fifth Justice of the Peace District.

As amended by: Private Acts of 1970, Chapter 258

**SECTION 2.** That there is hereby created a County Board of School Supervisors for Blount County to be composed of seven members possessing the qualifications to be elected in the manner, charged with the duties and entitled to the compensation hereinafter provided.

**SECTION 3.** That two (2) members of the County Board of Supervisors shall be elected from the First and Second School Districts and one (1) member each from the Third, Fourth and Fifth School Districts, by the qualified voters of each district, in the August 1970 general election, to take office on September 1 following their election and to serve for terms as prescribed in Section 4.

As amended by: Private Acts of 1970, Chapter 258.

**SECTION 4.** That in the August 1970 general election two (2) members shall be elected from the First School District by the qualified voters of the District. The candidate receiving the highest number of votes shall serve for a term of four (4) years and the candidate receiving the second highest number of votes shall serve for a term of two (2) years.

The candidate receiving the highest number of votes in the Second School District shall serve for a term of four (4) years and the candidate receiving the second highest number of votes shall serve for a term of two (2) years.

The candidate elected from the Third School District shall serve for a term of four (4) years.

The candidate elected from the Fourth School District shall serve for a term of two (2) years.

The candidate elected from the Fifth School District shall serve for a term of four (4) years.

At the August 1972 general election, members shall be elected to succeed members whose terms expire September 1, 1972, such members to be elected for terms of two (2) years. At the August 1974 general election, all seven members of the county board of school supervisors shall be elected by the qualified voters of the county at large. The four (4) candidates receiving the higher number of votes shall serve for terms of four (4) years: The three (3) candidates receiving the next higher number of votes shall serve for terms of two (2) years. Thereafter, at the August general election preceding the expiration of terms, successors shall be elected to serve for terms of four (4) years. Members shall be eligible to succeed themselves in office. Members shall assume office on September 1 following their election and serve until their successors are elected and qualified.

As amended by: Private Acts of 1970, Chapter 258

Private Acts of 1972, Chapter 329

**SECTION 5.** That persons desiring to become candidates for said offices shall qualify in the manner required by the general law of the State and after said election the Board of Election Commissioners shall canvass the returns and issue certificates of election to the successful candidates in each of the various Educational Districts. The same requirements as now or may hereafter be provided by law for members of

the County Board of Education shall be necessary to render a candidate eligible for the office of County Board of School Supervisors and said election shall be conducted in the manner and under the same requirements of law as prescribed for election of members of the General Assembly and with the restrictions, requirements and qualifications for voters and the persons so elected shall hold their respective offices until their successors have been elected and qualified.

In case of a vacancy in said County Board of School Supervisors provided for in the Act, such vacancy shall be filled for the unexpired term by a vote of a majority of the County Board of School Supervisors, meeting next and after the said vacancy occurs, the members so elected to fill out the unexpired term shall be a resident of the School District in which such vacancies exist, and shall serve until the next regular election for that Educational District.

**SECTION 6.** That the County Board of School Supervisors for Blount County shall meet at the Courthouse in said County on the 1st day of September following each August Biennial election and organize in the manner hereinafter provided and shall elect one of their members as Chairman of said Board. The Chairman shall preside over all the meetings of said Board, or in his absence, a Chairman pro tem may be elected by the members present, from one of their Board. A majority of the members of said Board shall constitute a quorum for the transaction of all business of said Board. Each member of said Board shall take and subscribe to an oath before some officer authorized to administer such oaths to the effect that he will honestly, faithfully, and impartially discharge the duties of his office and faithfully and honestly account for and pay over all monies and deliver all property belonging to the County coming into his hands. Said Board shall meet in regular session on the first Mondays of March, June, September, and December of each year and at any other times in special meetings on call of the Chairman of the Board, upon five days' notice, whenever the Chairman may deem it necessary to have a meeting for the proper performance of the duties of such Board and the transaction of its business. The Chairman shall call a meeting of said Board when requested in writing to do so by a majority of the other members of said Board.

**SECTION 7.** That the County Superintendent of Public Instruction for Blount County shall be ex-officio Secretary of the County Board of School Supervisors, but he shall have no vote at any meeting of said Board. Said Secretary shall attend all meetings of said Board, keep a correct and complete record of all the accounts of said Board at each meeting, and such other records shall be kept by him as is now or may be hereafter provided by law. Said Secretary shall meet with the Chairman at such times as may be deemed necessary and proper by the Chairman for the performance of such duties as may be imposed upon them by this Act; all such services shall be performed by the County Superintendent of Public Instruction acting as Secretary of said Board in his or her County in addition to his duties now provided by law, and without additional compensation.

**SECTION 8.** That the County Board of School Supervisors for Blount County shall have the supervision and control of all the public schools in said County, both elementary and high schools, and all others maintained in whole or in part by public funds, and they shall elect all teachers of said schools and fix their salaries, and make necessary contracts with all teachers for their services; and shall have power and authority to erect, repair and maintain suitable school buildings, equipment, and to acquire and hold real estate for school purposes, purchase equipment and supplies such as may be necessary for carrying on the school system in the County. Said Board shall in all things perform the duties required by law or by the State Department of Education, as now provided by the general statutes of the State, or as may hereafter be provided by future legislation, affecting the administration of the public school affairs in any County to which this Act applies. The County Board of School Supervisors created by this Act shall have the exclusive possession and control of all public school property, both real and personal, now belonging to or in the custody or control of any Board or Association in Blount County, or that may hereafter be acquired.

**SECTION 9.** That the County Board of School Supervisors, hereby created, shall have power and authority to enter into contracts and agreements necessary for the erection, purchase, preservation, and maintenance of its buildings, property or equipment, and for any other purpose by the board deemed necessary to carry out the provisions of all laws applying to public school affairs or in the proper discharge of their duties upon their members imposed by this Act.

**SECTION 10.** That each member of said Board shall receive the sum of One Hundred Dollars (\$100.00) per year as compensation for their services as such Board member. Said sums to be paid out of the general funds of the County allocated for school purposes. No member of the County Board of School Supervisors shall become the owner or holder of any warrant issued for any purpose upon any of the public school funds in Blount County; but the Secretary may receive such warrants upon his salary as Superintendent of Public Instruction.

**SECTION 11.** That the County Board of School Supervisors created by Chapter 436 of the Private Acts of

1929 as amended is abolished effective from and after the first day of September, 1962, and that Chapter 436 of the Private Acts of 1929 as amended, together with all laws or parts of laws in conflict with the provisions of this Act are expressly repealed.

**SECTION 12.** That if any section or paragraph or clause of this Act shall be held invalid by the Courts, that it shall not in any way effect or invalidate any other section or paragraph or clause.

**SECTION 13.** That this Act shall be submitted to the Quarterly County Court for Blount County, Tennessee, at their next regular session or called session for their approval and if approved by two-thirds vote of the County Court, this Act shall take effect from and after such approval, the public welfare requiring it; that if less than two-thirds of the Quarterly County Court for Blount County, Tennessee, vote in favor of such approval, this Act shall not take effect.

**SECTION 14.** That the County Court Clerk for Blount County shall certify the result of action taken by the Quarterly County Court as herein provided to the Secretary of State for the State of Tennessee within five (5) days after the time the County Court for said County takes action on this Act as provided herein.

Passed: February 15, 1961.

## Education/Schools - Historical Notes

### Superintendent or Director of Schools

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

1. Private Acts of 1929, Chapter 45, established the office of County Superintendent of Public Instruction in Blount County to be elected by the qualified voters of the county beginning with the August 1930 general election and each two years thereafter. This office was replaced with the employment position of director of schools pursuant to the general law Education Improvement Act of 1991. Therefore, this act, as amended is superseded. See T.C.A. § 49-2-301.
2. Private Acts of 1933, Chapter 266, amended Private Acts of 1929, Chapter 45, to change the term of office of the County Superintendent of Public Instruction in Blount County from two years to four years. This office was replaced with the employment position of director of schools pursuant to the general law Education Improvement Act of 1991. Therefore, this act, as amended, is superseded. See T.C.A. § 49-2-301.

### General Reference

The following acts constitute part of the administrative and political heritage of the educational structure of Blount 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, incorporated Porter Academy as the county academy for Blount County, naming Gideon Blackburn, John Montgomery, John Lowry, Joseph B. Lapsely and Andrew Kennedy as the trustees of this academy.
2. Acts of 1813, Chapter 26, named William Aylett as an additional trustee of Porter Academy.
3. Acts of 1813, Chapter 30, established the Maryville Female Academy in Blount County. Andrew Thompson, David Caldwell, James Berry, John Montgomery, John Gardiner, James Houston, William Aylett and Isaac Anderson constituted a body politic and corporate for the academy.
4. Acts of 1815, Chapter 67, authorized the trustees of the Maryville Female Academy and the Porter Academy to draft a scheme for raising not more than \$8,000 by lottery.
5. Acts of 1817, Chapter 105, named James Turk and Thomas Henderson as additional trustees for Porter Academy, and as additional trustees for Maryville Female Academy Alexander McGhee, John McGhee, James Turk, Thomas Henderson, and John Lowry were named.
6. Public Acts of 1825, Chapter 73, appointed William Gott as commissioner in charge with the payment of money for the use of colleges and academies and to ascertain what portion of them may be of the third and last class and the value of all such lands that the academies may be on.
7. Public Acts of 1826, Chapter 34, amended Public Acts of 1825, Chapter 73, above, by re-appointing William Gott as commissioner. His duties remained the same.
8. Acts of 1853-54, Chapter 95, set aside \$3,000 out of the county treasury to used as the county school fund to benefit the townships composed of the seventeenth civil districts in the counties of Blount and Monroe.

9. Acts of 1855-56, Chapter 267, Section 9, required the comptroller of the treasury of the state to issue his warrants for the interest on the sum of \$3,000, created as a school fund for the seventeenth civil district in Blount and Monroe counties, by Acts of 1853-54, Chapter 95.
10. Private Acts of 1897, Chapter 228, created a new school district out of parts of Monroe, Loudon and Blount counties which was known as the Trigonía High School District.
11. Private Acts of 1901, Chapter 353, amended Private Acts of 1897, Chapter 228, by excluding the farms of James Norwood and S.O. Montgomery from the Trigonía High School District.
12. Acts of 1905, Chapter 356, created a special school district out of the ninth and nineteenth civil districts in Blount County, which were the town of Maryville. This was repealed by Acts of 1907, Chapter 286.
13. Acts of 1909, Chapter 236, was the first compulsory attendance law for Blount County students. This act required that children between the ages of eight and sixteen attend school for sixteen weeks or eighty days of each year, for at least four hours per day. There were certain exemptions from this act, such as proficiency in the subjects taught in public school, attendance at a private, parochial or tutorial school, or physical or mental infirmity. This act also made it a criminal offense for any person, firm or corporation to hire children of school age to work during school hours.
14. Private Acts of 1911, Chapter 248, established the Frigonía High School District out of parts of Blount, Loudon and Monroe counties. This act was amended by Private Acts of 1915, Chapter 665, to remove the applicability of its provisions to Blount County, but his amendment was itself repealed by Private Acts of 1917, Chapter 74.
15. Private Acts of 1911, Chapter 583, was the next compulsory attendance law for Blount County. This act required parents of children between the ages of eight and sixteen "to cause such child to be instructed in elementary branches of knowledge," for at least fifteen days in four consecutive weeks. Children who lived more than two and one half miles from the nearest public school were exempted from this law, and this act also specified that children could attend public schools in Blount County until they reached their majority.
16. Private Acts of 1913, Chapter 75, Extra Session, established the Meadow High School District out of parts of Loudon and Blount counties. While this act has never been specifically repealed, all special school districts which were not taxing districts, and the Meadow High School District was not, were abolished by Public Acts of 1925, Chapter 13, Section 33.
17. Private Acts of 1917, Chapter 508, established the Trigonía Independent School Districts in sections of Blount, Monroe and Loudon. The purpose of this act was stated as insuring that Blount County be a part of this special district, and that this act in no way repealed Private Acts of 1911, Chapter 248. However, Blount County was again removed from this special school district by Private Acts of 1919, Chapter 779.
18. Private Acts of 1927, Chapter 358, authorized a special tax levy of \$.03 per \$100 assessed valuation for a special high school fund. The board of education was authorized to issue short term warrants of not more than \$25,000; and the funds from this special tax levy were to be used to retire those warrants.
19. Private Acts of 1929, Chapter 436, created a county board of school supervisors in Blount County, dividing the county into seven educational districts and providing for the election of a school supervisor from each district. The superintendent of public instruction was to serve as the ex-officio secretary of the board. This act was first amended by Private Acts of 1931, Chapter 356, which required the custodian of the county school buildings to perform the duties of truant officer, under the supervision of the county superintendent of public instruction. The boundaries of the seven school districts were changed by an amendment found in Private Acts of 1945, Chapter 378. Private Acts of 1949, Chapter 524, amended the original 1929 act to raise the salary of the board of school supervisors to \$5.00 per day for each day's attendance at meetings of the board. The last amendment to the 1929 act was Private Acts of 1959, Chapter 262, which once again changed the boundaries of the seven school districts. Private Acts of 1929, Chapter 436, and all its amendatory acts were repealed by Private Acts of 1961, Chapter 60, which, as amended, may be found on the preceding pages of this volume.
20. Private Acts of 1929, Chapter 445, directed the county trustee to transfer to any municipal corporation in Blount County a pro rate share of the high school fund per student for any student living within one mile of the corporate limits of the municipality, provided that the students lived nearer to a city high school than to any county high school. This was amended by Private Acts of 1933, Chapter 208, to drop the one-mile radius requirement, so that any high school student who

- lived nearer a city school than to a county school could attend the city school with the county reimbursing the city school system.
21. Private Acts of 1931, Chapter 358, authorized the trustee to transfer a pro rate share of school funds to municipalities for elementary students living within one mile of the municipality and closer to a city school than to a county school.
  22. Public Acts of 1933, Chapter 98, authorized the county boards of education in the counties of Blount, Cocke and Sevier to convey to the State of Tennessee any school property lying within The Great Smoky Mountain Park Area, upon such terms as may be agreed upon by said county boards of education and the Tennessee Great Smoky Mountain Park Commission.
  23. Private Acts of 1972, Chapter 243, would have amended Private Acts of 1961, Chapter 60, by providing for the apportionment of the membership of the Blount County Board of School Supervisors, however, according to the Blount County Clerk's Office, this act was never acted upon by local officials and therefore never became law.
  24. Private Acts of 1987, Chapter 30, would have amended Chapter 60 of the Private Acts of 1961, as amended, relative to the election of the County Board of School Supervisors, but was not acted upon locally and therefore never became effective.
  25. Private Acts of 1988, Chapter 122, would have amended Private Acts of 1961, Chapter 60, by dividing Blount County into educational districts and provided for the election of one person from each district to be on the county school board. This act was rejected by the county legislative body of Blount County and therefore never became effective.
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