



April 28, 2024

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## Chapter VI - Education/Schools

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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 83

**SECTION 1.** Chapter 156 of the Private Acts of 1992, and all other acts amendatory thereto, are hereby repealed.

**SECTION 2.** Sequatchie County shall be divided into nine (9) school districts of substantially equal population, which shall be identical to the county legislative body districts established by resolution of the county legislative body from time to time.

**SECTION 3.** The Sequatchie County Board of Education (the "Board") shall consist of nine (9) 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 so that every two (2) years the terms of one-half ( $\frac{1}{2}$ ) the members of the Board shall expire, with the odd-numbered districts expiring at the same time and the even-numbered districts expiring at the same time. Persons elected in the regular August general elections shall take office on September 1 following the election and shall serve until their successors are duly elected and qualified.

As amended by: Private Acts of 2012, Chapter 38

**SECTION 4.**

As amended by: Private Acts of 2012, Chapter 38

**SECTION 5.** The Board shall have the same powers, duties, privileges and qualifications as the Board of Education established pursuant to Title 49, Tennessee Code Annotated.

**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 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 7.** This act shall have no effect unless it is approved by a two-thirds ( $\frac{2}{3}$ ) vote of the county legislative body of Sequatchie County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Sequatchie 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 be (sic) become effective upon being approved as provided in Section 7.

Passed: February 14, 2002.

## Compulsory School Attendance

#### Private Acts of 1931 Chapter 591

**SECTION 1.** That the Sheriff, deputy sheriffs and constables in counties having a population of not less than 4,040 and not more than 4,050, according to the Federal Census of 1930, or any subsequent Federal Census, be and the same are hereby required to execute warrants and other process in cases under the compulsory school attendance law at the instance of the County Superintendent.

**SECTION 2.** That the Sheriff, deputy sheriff and constables shall be entitled for execution of warrants and other process as set out in Section 1 to such fees and compensation as now provided by law for similar services to be taxed as cost against the convicted defendant.

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

Passed: June 25, 1931.

## Education/Schools - Historical Notes

### **Board of Education**

The following acts once affected the board of education in Sequatchie 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, created a Board of Education in every County of five members, or less, one to come from each of the School Districts into which the county was divided. District Directors and Advisory Boards were abolished. The duties of the Chairman, the Secretary and Board members were prescribed. A three member "Advisory Board" would be elected in each District by popular vote who would perform the duties specified for them. Some counties exempted themselves but not Sequatchie.
2. Private Acts of 1933, Chapter 422, consolidated all the Civil Districts in Sequatchie County into three School Districts as specified by this act, but this was not to affect the manner of operation of the Dunlap School District in any way. The seven member School Board was abolished. Each of the three School Districts herein would elect one member of the Board of Education for a term of two years beginning in August, 1934. All candidates must meet the qualifications established in this Act. The Board would select a chairman and a secretary and discharge the duties stipulated in this act. The Board would meet at least four times annually for which members would be paid \$2.50 per meeting and the Secretary's compensation would be \$10 per month. The Superintendent would be an ex-officio member of the Board but would have no vote. This Act was repealed by Private Acts of 1947, Chapter 748.
3. Private Acts of 1947, Chapter 748, established a County Board of Education in Sequatchie County.
4. Private Acts of 1992, Chapter 156, created a nine (9) member board of education. This act was repealed by Private Acts of 2002, Chapter 83.

### **Superintendent or Director of Schools**

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

1. Private Acts of 1933, Chapter 84, provided that the Superintendent of Public Education of Sequatchie County would be elected by popular vote in August, 1934, for a two year term. Any candidate must first meet all qualifications before his name could be placed on the ballot. Compensation for the Superintendent would be \$500 annually, payable monthly.
2. Private Acts of 1933, Chapter 727, amended the act requiring the popular election of the school superintendent, above, to provide that the Superintendent elected in August, 1934, would assume office on January 1, 1935, but all others elected under the Act would take over the position on September 1, following the election as other officials did, but candidates must still meet all qualifications by furnishing the necessary credentials no later than ten days prior to the election.

### **General Reference**

The following acts constitute part of the administrative and political heritage of the educational structure of Sequatchie 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. Public Acts of 1857-58, Chapter 11, provided in Section 12 that Rankin Academy would be the county academy for Sequatchie County which would be located in or near the county seat.
2. Acts of 1907, Chapter 233, formed the "New Hope School District" in parts of Sequatchie and Marion Counties as the District was legally described in the act, beginning at the northeast corner of George F. Smith's land in the boundary line between Marion County and Sequatchie County, following lines as described to include the houses and lands of William Pickett, Mrs. Sarah Dillard, and Joe Carmack at the other end. The County Superintendent of Public Instruction would appoint the school directors who would serve until their successors could be elected by popular vote. The Directors could draw on the Trustee for their pro-rata share of the county school funds. Chapter 264, Acts of 1907, is an exact duplicate of this Act except for the date of passage.
3. Acts of 1907, Chapter 251, created a Special School District in portions of the first and fourth civil districts of Sequatchie County, beginning at the mouth of Brush Creek where it empties into the Sequatchie River running up the creek to the road leading to the old Byron Heard place where it crosses the creek, and following the lines described in the act to the point where the Sequatchie River meanders back to the Brush Creek region, known formerly as the "Old Union School District". The County School Superintendent would appoint three School Directors for the District to serve until others could be elected. Chapter 258, Acts of 1907, is an exact duplicate of this Act. These acts were superseded by Chapter 422, Private Acts of 1933.
4. Acts of 1909, Chapter 437, incorporated the "New Hope Masonic Academy" in Marion County and Sequatchie County which would be governed, operated, and managed by five Trustees, the act naming R. E. Kelly, William Pickett, M. Y. Easterly, B. W. Condra, and B. H. Hudson, as the first

Trustees who would attend to all the business of the School. The duties of the Board of Trustees, and the Secretary, were specifically enumerated in the Bill. This Act was repealed by the one following.

5. Private Acts of 1911, Chapter 380, repealed Chapter 437, Acts of 1909, Item 4, above, which incorporated the "New Hope Academy."
6. Private Acts of 1911, Chapter 534, also repealed Chapter 437, Acts of 1909, above.
7. Private Acts of 1933, Chapter 382, declared that, in Sequatchie County, identified by the use of the 1930 Federal Census figures, the position of Truant Officer, or attendance officer, was hereby abolished and the Board of Education was expressly prohibited from contracting with any person, or to expend any funds, for that purpose. The Quarterly Court, the County Court, and the school system were likewise forbidden to employ a Truant Officer. The prohibition was extended in a subsequent Section of the Act to all city school systems.
8. Private Acts of 1939, Chapter 107, amended Chapter 107, Acts of 1937 (Ex. Sess.), a general state law, by adding at the end of Section 5 a provision that "the appropriations to educational system and the disbursement thereof" would not apply to any independent school district in Sequatchie County.

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