

board, but people as well. It would seem desirable that the board and the school people of Cannon County give considerable thought to the present status of the board of education and work toward formulating a program of improvement.

Since a majority of the members of the board expressed an interest in literature, periodicals, and books which would be of value to them in becoming more familiar with school board problems and the mechanics of board operation, it is recommended that the board investigate the possibility of obtaining funds to provide current periodicals and literature for a professional library for the members of the board.

It is recommended that the board and superintendent reach an agreement on the duties for which each is to assume responsibility and commit them to writing.

It seems advisable to develop a long range program which includes possible legislative changes to bring the board of education into closer conformity with accepted trends in school administration.

To develop a program of orientation should be within the frame work of realities in the near future. It is recommended that consideration be given to planning and developing a means of familiarizing the new board members with the responsibilities of their position.

It is recommended that the board give immediate attention to locating space for holding open meetings. A desirable arrangement seems to be the conference type set up with a

large table and chairs for the board members and with room for the interested visitors who may want to attend meetings.

BIBLIOGRAPHY

BIBLIOGRAPHY

Acts of Tennessee, 1835.

Acts of Tennessee, 1836.

Acts of Tennessee, 1837.

Acts of Tennessee, 1838.

Acts of Tennessee, 1907.

Acts of Tennessee, 1921.

Acts of Tennessee, 1925.

American Association of School Administrators. School Boards in Action, --Twenty-Fourth Yearbook. Washington: National Education Association, 1946.

Borland, Hal. "48 States, 48 Personalities," New York Times Magazine, December 4, 1949, p. 37.

Brown, Sterling S. History of Woodbury and Cannon County. Manchester: Doak Publishing Company, 1936.

Cannon County Court. Minute Book A, 1836-1841.

Davies, Daniel R. and Hosler, Fred W. The Challenge of School Board Membership. New York: Chartwell House, Inc., 1949.

Eaton, John, Jr. Report of the State Superintendent of Public Instruction, 1869.

Federal Census Reports, Population. Washington, D. C.: United States Government Printing Office, Volume 1, 1940.

Goodspeed, Weston A. History of Tennessee with Sketches of Warren, Coffee, DeKalb, and Cannon Counties. Nashville: Goodspeed Publishing Company, 1886.

Knox, John B. The People of Tennessee. Knoxville: University of Tennessee Press, 1949.

Private Acts of Tennessee, 1929.

"Public School Laws of Tennessee," The Tennessee Educational Bulletin, 14-8:51-62, December 1936.

Report of the Commissioner of Education, 1939.

Report of the State Superintendent of Public Instruction, 1873.

- Report of the State Superintendent of Public Instruction, 1874.
- Report of the State Superintendent of Public Instruction, 1884.
- Report of the State Superintendent of Public Instruction, 1885.
- Report of the State Superintendent of Public Instruction, 1886.
- Report of the State Superintendent of Public Instruction, 1887.
- Report of the State Superintendent of Public Instruction, 1888.
- Report of the State Superintendent of Public Instruction, 1889.
- Report of the State Superintendent of Public Instruction, 1890.
- Report of the State Superintendent of Public Instruction, 1899.
- Report of the State Superintendent of Public Instruction, 1901.
- Report of the State Superintendent of Public Instruction, 1907.
- Report of the State Superintendent of Public Instruction, 1908.
- Report of the State Superintendent of Public Instruction, 1919.
- Report of the State Superintendent of Public Instruction, 1920.
- Report of the State Superintendent of Public Instruction, 1926.
- Reeder, Ward G. School Boards and Superintendents. New York: The MacMillan Company, 1946.
- Scrapbook on Cannon County. Nashville, Tennessee State Library.
- "Status and Practices of Boards of Education," National Education Association Research Bulletin, 24-2:48-72, April 1946.
- Tennessee Constitution, 1870.
- Thackston, John A. "A Handbook for Public School Board Members of Tennessee," The University of Tennessee Record, 21:12, April 1945.
- Trillingham, C. C. "Principles and Policies vs. Personalities and Politics," School Board Journal, 118-3:35, March 1949.
- White, Robert H. Development of the Tennessee State Educational Organization, 1796-1929. Kingsport: Southern Publishers, Inc., 1929.

White, Robert H. Tennessee, Its Growth and Progress.
Kingsport: Kingsport Press, 1936.

APPENDIX A

PRIVATE ACTS OF EXTRAORDINARY SESSION OF 1929

CHAPTER NO. 4

SENATE BILL NO. 31

AN ACT to amend an Act entitled, An Act to establish and maintain a uniform system of Public Education, the same being Chapter 115 of the Public Acts of the General Assembly of the State of Tennessee of the year 1925, in so far as said Act applies to Counties in the State having a population of not less than 10,240 and not more than 10,242, according to the Federal Census of the year 1920 or any subsequent Federal Census, so as to change the present and provide for the future number, time and method of selecting, qualifications, and duties of the County Boards of Education and the members thereof in said Counties.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, That Section 6, Chapter 115, Public Acts of the General Assembly of Tennessee of 1925, known as the General Educational Law, the caption of which is set forth in the caption hereof, be and the same is hereby amended so as to insert at the end of the paragraph thereof ending with the words "removal from the county" on page 323 of the public printed Acts of said General Assembly and just preceding the sentence of said page reading, "It shall be the duty of the County Board of Education," and to provide the following:

PROVIDED, That in Counties of the State having a population of not less than 10,240 and not more than 10,242,

according to the Federal Census of 1920 or any subsequent Federal Census, the following shall obtain with respect to the composition, number, time and method of selecting, qualifications and certain of the duties of the County Boards of Education and the members thereof.

1. The County Board of Education shall be composed of fifteen (15) members, one (1) from, and elected by the qualified voters of, each of the 15 Civil Districts.

2. Each member of said County Board of Education shall be not under 21 years of age and a citizen and resident of the Civil District from which he or she is elected.

3. At the regular August election, 1930, and every two years thereafter there shall be elected by the qualified voters of each of the fifteen civil districts of said counties a member of the County Board of Education who, before entering upon the duties of their offices, shall qualify by taking and subscribing to the oath required by law, and who shall hold their respective offices for a period of two years, or until their respective successors are duly elected and qualified.

4. The first County Board of Education under this Act shall be composed of the following:

Clark Barton, from the 1st Civil District

A. A. Tenpenny, from the 2nd Civil District

Ray Paschal, from the 3rd Civil District

Calvin Curlee, from the 4th Civil District

Tom Parker, from the 5th Civil District
G. S. Smith, from the 6th Civil District
John Gilley, from the 7th Civil District
H. C. Mears, from the 8th Civil District
Shelah Wood, from the 9th Civil District
Clyde Hall, from the 10th Civil District
Earl McAdoo, from the 11th Civil District
James Caffy, from the 12th Civil District
Bob Parker, from the 13th Civil District
O. B. Alexander, from the 14th Civil District
Hall Markum, from the 15th Civil District

who shall qualify by taking and subscribing to the oath required by law and enter upon the duties of their offices and hold the same until the next regular August election in 1930, or until their respective successors in office are duly elected and qualified.

5. All vacancies hereafter occurring on the Board shall be filled by special election by the qualified voters of the particular civil district, or districts, in which same exists, or exist.

6. Special meetings of the Board shall be called by the Chairman thereof upon and according to the written request of a majority of Board members and may be called at any other time when, in the judgment of the Chairman, the interests of the public schools require it. PROVIDED, That it shall be

the duty of the Chairman and Secretary to notify all members of the Board of the time, place and purpose of any and all special, or called, meeting by at least twenty-four hours' written notice served upon or left with, or at the places of residence of, all members or, unless the request for the special meeting otherwise suggests, by publishing the same in some newspaper published in the county for not less than five days. PROVIDED, FURTHER, That no compensation shall be paid to, or received by, any member of said Board for, or on account of attending any special or called meeting of the Board.

SECTION 2. BE IT FURTHER ENACTED, That the County Boards of Education as now exist in Counties of the State to which this Act applies, be and the same are hereby abolished.

SECTION 3. BE IT FURTHER ENACTED, That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

SECTION 4. BE IT FURTHER ENACTED, That if any part, section, sub-section, sentence, clause or phrase of this Act is, for any reason, held to be unconstitutional it shall not affect the validity of the other or remaining portions hereof, and it is declared by the Legislature that it would have passed this Act and each of the parts, sections, sub-sections, sentences, clauses and phrases hereof irrespective of the fact that any one or more parts, sections, sub-sections, sentences,

clauses or phrases be declared unconstitutional

SECTION 5. BE IT FURTHER ENACTED, That this Act take effect from and after its passage, the public welfare requiring it.

Passed December 9, 1929

S. R. Bratton, Speaker of the Senate

Chas. H. Love, Speaker of the House of
Representatives

Approved December 11, 1929

Henry H. Horton, Governor

APPENDIX B

PUBLIC SCHOOL LAWS OF TENNESSEE

UNIFORM SYSTEM OF PUBLIC EDUCATION

Article IV

County Board of Education

161. 2317 Board composed of whom; election and terms of office.--

In each county, there shall be a county board of education composed of seven members elected by the county court at its July session, one each year, to succeed members as their respective terms expire, each member to serve for a term of seven years. (1925, ch. 115, sec. 6, Modified.)

162. 2318 Eligibility and qualification of members.--Members of the board shall be residents and voters of the county in which they are elected and shall be citizens of recognized integrity, intelligence, and ability to administer the duties of the office. No member of the quarterly county court nor any other county official shall be eligible for election as a member of the county board of education. No person shall be eligible to serve on the board unless such person be a bona fide resident of the county and have a practical education. If any member ceases to reside in the county, the office of such member shall become vacant. (Ib.)

163. 2319 Compensation of members; vouchers to be approved; vacancies.--The compensation of members of said county board

shall be fixed by the quarterly county court for their services when attending regular and special meetings and discharging the duties imposed by this statute; provided, that the county trustee shall pay no voucher issued to members unless the same shall have been approved by the county judge or the chairman of the county court; provided, further, that no member of any board shall receive more than four dollars per day for his services. When a vacancy occurs the unexpired term shall be filled at the next regular meeting of the quarterly county court. Vacancies shall be declared to exist, on account of death, resignation, or removal from the county. (Ib.)

164. 2320 Duties of board specified.--It shall be the duty of the county board of education:

- (1) Meetings.--To hold regular meetings on the second Thursday in September, December, March, and June of each year, for the purpose of transacting public school business; provided, that the chairman may call special meetings whenever in his judgment the interest of the public schools requires it, or when requested to do so by a majority of the board.
- (2) Chairman.--To elect one of its members chairman annually. (Ib.)

Article V

County Superintendent

169. 2324 Board to assign specified duties to superintendent.--

To assign to its county superintendent the following duties:

- (1) Execution of laws.--To act for the board in seeing that the laws relating to the schools, and rules of the state and the county boards of education are faithfully executed.
- (2) To attend all meetings of the board of education and to serve as a member of the executive committee of said board, without additional compensation.
- (3) Record of proceedings.--To keep in a well bound book, furnished by the county board, a complete and accurate record of the proceedings of all meetings of the board and of his official acts.
- (4) Receipts and disbursements.--To keep in well bound books, furnished by the county and arranged according to the regulations prescribed by the commissioner of education, a detailed and accurate account of all receipts and disbursements of the public school funds, the accounts of elementary and high school funds to be kept separate.
- (5) Warrants.--To issue, within ten days, all warrants authorized by the county board of education on the county trustee for expenditures for public school funds.

- (6) Recommendations; no vote.--To make such recommendations to the county board of education as he deems for the best interest of the public schools, but in no case shall he have a vote on any question coming before said board.
- (7) To have general supervision of all county schools, and to visit the schools from time to time, and advise with the teachers and members of the board of education as to their condition and improvement.
- (8) To require the use of the state course of study for all the public schools and the system of promoting pupils through the several grades thereof in accordance with regulations of the commissioner of education.
- (9) To sign all certificates and diplomas of pupils who complete the courses of study prescribed for the elementary and high schools.
- (10) To recommend to the county board of education, supervisors, teachers, clerical assistants, and other employees in the county schools.
- (11) To recommend to the board salaries for teachers in accordance with the salary schedule and the salaries and wages of all other employees nominated by him.
- (12) To assign teachers to the end that the best interests of the schools may be promoted thereby, pending the meeting and approval of the county board of education.

- (13) To require all teachers to submit to him for record their certificates, or authority to teach, given by the state commissioner of education, and to keep a complete record of same.
- (14) To file all contracts entered into with teachers and employees of the county board of education, before they begin their services in the public schools.
- (15) To furnish to teachers or principals the names of pupils belonging to their respective schools, said list to be taken from the census enumeration or other reliable records on file in his office.
- (16) To issue certificates relative to the employment of minors; provided, that such certificates for pupils belonging to the schools of a city or incorporated town shall be issued by the superintendent of such city or town.
- (17) School libraries.--To receive subscriptions and funds for establishing and maintaining school libraries, to deposit same with the county trustee and to report to the commissioner of education the amount thus deposited and books desired.
- (18) Examination chairman.--To serve as chairman of the local examining committee on all examinations of teachers held in his county.
- (19) To require reports of average daily attendance from superintendents of cities and incorporated towns and

to report to the commissioner of education any failure on the part of city superintendents or principals to make such reports.

- (20) To report to the county trustee and the commissioner of education, on or before the first day of July of each year, the average daily attendance in the schools of the county and of the cities and incorporated towns therein.
- (21) School funds received and expended.--To make a written report, quarterly, to the county court, for the county board of education, of all receipts and expenditures of the public school funds, which accounts shall contain full information concerning the condition, progress, and needs of the schools of the county and which shall be audited by the county judge and the finance committee of the county court.
- (22) To be present at all quarterly and annual settlements of the county trustee with the county judge or chairman of the county court covering all school funds arising from state apportionments, county levies, and all other sources, and report his acts to the county board of education.
- (23) Report of misappropriation or danger of loss of school funds.--To report to the county court and the commissioner of education, whenever it shall appear to him that any portion of the school fund has been, or is

in danger of being, misappropriated or in any way illegally disposed of or not collected.

- (24) Reports to commissioner.--To make reports to the commissioner of education when requested by him; and on or before the fifteenth day of July, annually, to make to the said commissioner on forms furnished by him, a full and complete report for the year ending the thirtieth day of June preceding.
- (25) Budget of county schools.--To prepare, annually, a budget for the schools in his county, to submit the same to the county board of education for its approval, and to present it to the county court for adoption at its April session, which budget shall set forth in itemized form the amount necessary to operate the schools of the county for the scholastic year beginning on the first day of July following. Any change in the expenditure of money as provided for by the budget shall be first ratified by the county board of education and the county court.
- (26) To give his full time and attention to the duties of his position as county superintendent.
- (27) To deliver to his successor all records and official papers belonging to said position and in case of his or her refusal to deliver such records and files on demand of his or her successor, he or she shall be guilty of a misdemeanor and fined not less than fifty

dollars nor more than two hundred and fifty dollars, and like penalty for each month during which he or she shall persist in withholding the same.

(28) Copy of budget.--To file with the commissioner of education a copy of the budget adopted by the quarterly county court within ten days after its adoption.

(29) List of teachers and salaries.--To furnish to the commissioner of education a list of the teachers elected by the county board of education and their respective salaries, on forms furnished by said commissioner.

(30) To perform such other official duties as may be prescribed by law. (1925, ch. 115, sec. 6.)

170. 2325 Further duties of county board of education. (3)

Election of what officers and employees; contracts; members are ineligible.--To elect principal, supervisors, teachers, attendance officers, clerical assistants, and other employees authorized by this statute, and to fix salaries for such authorized positions according to the provisions of this statute; and to make written contracts with all employees. No member of the county board of education shall be eligible for election as teacher, or any other position under the board carrying with it any salary or compensation. (Ib.)

(4) To manage and control all county public schools established or that may be established.

(5) To employ janitors, engineers, and such other persons as may be necessary to care for the school property, and to

fix their compensation.

(6) Purchase of supplies; competitive bids.--To purchase all supplies, furniture, fixtures, and material of every kind through the executive committee; provided, that all expenditures for such purposes amounting to one hundred dollars or more shall be made on competitive bids; provided that this shall not apply where counties have county boards of education, purchasing boards or committees.

(7) To order warrants drawn on the county trustee on account of the elementary and the high school funds, respectively.

(8) School terms; minimum attendance.--To run all schools of the county as nearly as practicable the same length of time. If the daily attendance of any schools shall fall below the minimum fixed by the county board of education for as much as two consecutive weeks, the school shall be suspended until an attendance can be assured of at least as much as one-third of the pupils within the territory of said school; or such minimum as is fixed by the county board of education, whichever shall be the smaller number; provided, that the minimum in said school shall not be less than ten.

(9) To visit the schools whenever, in the judgment of the board, such visits are necessary.

(10) To dismiss teachers, principals, supervisors, and other employees, upon sufficient proof of improper conduct, inefficient service, or neglect of duty; provided, that no one shall be dismissed without first having been given in writing due notice

of the charge or charges and an opportunity for defense.

(11) To suspend or dismiss pupils when the progress or efficiency of the school makes it necessary.

(12) To have enumerated the scholastic population of the county in May, 1933, and biennially thereafter.

(13) Record books and office for county superintendent.--To provide proper record books for the county superintendent, and should the quarterly county court fail or refuse to provide a suitable office and sufficient equipment for said superintendent, the county board of education may provide the same out of the elementary and the high school funds in proportion to their gross annual amounts.

(14) Budget required.--To require the county superintendent and chairman of the county board to prepare a budget on forms furnished by the commissioner of education, and, when said budget has been approved by the board, to submit the same to the quarterly county court at the April term. (Ib., sec. 6.)

171. 2326 Other powers and authority of the county board of education.--The county board of education shall have the power:

(1) To make consolidation of two or more schools whenever in its judgment the efficiency of said schools would be improved thereby.

(2) To provide transportation for pupils who reside too far away from the school to attend without such transportation, and when the number of pupils justify, and to pay for same out of the public elementary school funds for transporting ele-

mentary pupils, and out of the public high school funds for transporting high school pupils.

(3) Examination for communicable disease; exclusion from school or service.--To require school children and any employees of the board to submit to a physical examination by a competent physician whenever there is reason to believe that said children or employees have tuberculosis or any other communicable disease, and upon certification from the examining physician that such children or employees have any communicable disease to exclude them from school or service until such child or children, employer or employers, employee or employees, furnish proper certificate or certificates from the examining physician or physicians showing such communicable disease to have been cured.

(4) Night and part time schools.--To establish night schools and part time schools whenever in the judgment of the board they may be necessary.

(5) Transportation of pupils.--To purchase equipment and employ a driver, or to contract with persons owning equipment, for transporting pupils to and from school; provided, that such expenditures shall be duly authorized in the budget approved by the quarterly county court, and provided, further, that such transportation may be established and maintained economically, based on cost and efficiency. (Ib.)

172. 2495 Transportation of children, when; no privilege tax on driver, when; bond of driver; driver to preserve order;

schedules and distances.--Transportation may be provided for groups of children of school age who live more than two miles from the school building, by the nearest accessible route, whenever in the judgment of the county board of education such transportation can be economically provided, or whenever the efficiency of the school or schools can be improved thereby; provided, that neither the state nor the municipality shall collect a privilege tax from the driver of any horse-drawn or motor vehicle who has a contract with the county board of education to transport the children of any community to and from school unless such driver should carry other persons than school children for profit; provided, further, that the county board of education may require the driver of any vehicle to make bond in the amount of not less than five hundred dollars for the faithful performance of the duties that the position imposes; and provided, further, that the driver of any vehicle shall preserve order among all the children while they are in his custody and shall follow schedules and cover distances prescribed by the county board of education. (1925, ch. 115, sec. 24.)

Article VI

Chairman of County Board of Education

173. 2327 Specified duties of chairman of county board of education.--It shall be the duty of the chairman of the county board of education:

(1) To preside at all meetings of the board.

(2) To appoint committees authorized by said board.

(3) To serve as chairman of the executive committee.

(4) To countersign all warrants authorized by the county board of education and issued by the county superintendent upon the county trustee for all expenditures of the elementary and the high school fund.

(5) Examinations of teachers.--To serve as a member of the committee to conduct examinations for teachers' certificates.

(6) Executive committee.--The chairman of the county board of education and county superintendent shall constitute the executive committee of said board of education. (1925, ch. 115, sec. 6.)

174. 2327a Duties of executive committee of county board of education.--The duties of said executive committee shall be:

(1) Meetings.--To meet at the office of the county superintendent as often as necessary to perform the duties required.

(2) To advertise for bids and let contracts authorized by the county board of education.

(3) To serve as the purchasing agent for the board, provided, that this shall not apply to counties having a purchasing board.

(4) Accounts and budgets examined.--To examine all accounts authorized by said board and to see that the budget approved by the quarterly county court is not exceeded.

(5) Report of business.--To submit at each regular meeting

of the county board for approval a full report of all business transacted since the last regular meeting, which report shall be recorded as a part of the minutes of said board of education.

(6) To transact any other business assigned to said committee by said board. (Ib.)

175. 2328 Oath of members.--All members of the county board of education shall take oath to discharge faithfully the duties of said office. (Ib.)

176. 2329 Misuse of school funds is a misdemeanor; fine.--Any member of the county board who shall vote to create debts beyond the legitimate income provided in the school budget for any school year or in any way misappropriate or misuse school funds shall be guilty of a misdemeanor, punishable by a fine not less than fifty dollars nor more than two hundred dollars, and shall forfeit his office. (Ib.)

177. 2330 Members and justices not to contract with board; except justices may contract to teach.--No member of the county board of education or of the quarterly county court shall take or make, as the adverse party, any contract which his board is competent to make, nor shall he become the owner of a school warrant, except for his compensation as provided by this statute; provided, that nothing in this statute shall prevent any member of the quarterly county court from entering into a contract with said board to teach any of the schools coming under the provisions of this statute. (Ib.)