

LB

2529

T23

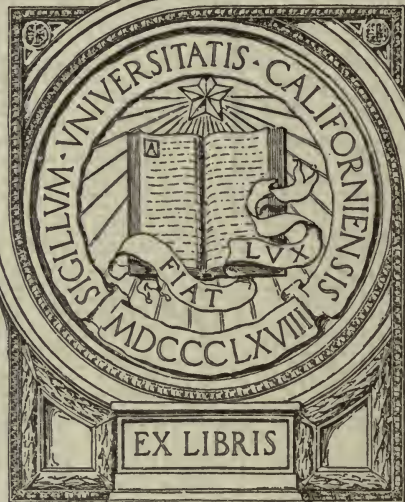
1913

UC-NRLF



\$B 20 752

GIFT OF  
*Tennessee - Syst. of  
Public Instruction.*



EX LIBRIS

TC  
31  
NOV 9 1914

# PUBLIC SCHOOL LAWS

OF

## TENNESSEE

TOGETHER WITH LEADING DECISIONS OF THE SUPREME  
COURT, EXPLANATORY NOTES AND AMENDMENTS  
MADE BY GENERAL ASSEMBLIES.

TO JUNE THIRTIETH

1913

SAMUEL H. THOMPSON,  
*State Superintendent of Public Instruction.*

SAM Y. ADCOCK,  
*Chief Clerk.*



# PUBLIC SCHOOL LAWS OF TENNESSEE

TOGETHER WITH LEADING DECISIONS OF THE SUPREME  
COURT, EXPLANATORY NOTES AND AMENDMENTS  
MADE BY GENERAL ASSEMBLIES.

TO JUNE THIRTIETH  
1913

SAMUEL H. THOMPSON,  
*State Superintendent of Public Instruction.*

SAM Y. ADCOCK,

*Chief Clerk.*

*Printed by the Press of Brandon Printing Company, Nashville, Tenn.*

NASHVILLE, TENN.:  
PRESS OF BRANDON PRINTING COMPANY

1914

L B2529

T23

1913

DEPARTMENT OF PUBLIC INSTRUCTION,  
STATE OF TENNESSEE,

NASHVILLE, TENN., Aug. 1, 1914.

This compilation of the public school laws of Tennessee is prepared by the State Superintendent of Public Instruction, as directed by Sub-section 5, Section 7 of the Act of 1873, providing for our present system of public schools. It contains all the general legislation upon that subject and such special legislation as may be of general interest.

SAMUEL H. THOMPSON,  
*State Superintendent.*

TO THE  
LIBRARY OF THE  
STATE OF TENNESSEE



# The Public School Laws of Tennessee,

TOGETHER WITH

## Leading Decisions of the Supreme Court, and Explanatory Notes.

[ALL PARTS OF LAWS PRINTED IN ITALICS HAVE BEEN  
ADDED BY AMENDMENT.]

SECTION 1. There shall be established and maintained, in this State, a uniform system of public schools.

1873. Chap.  
25. System.

SEC. 2. (1) The public school system shall be administered by the following authorities, to-wit: A State Superintendent, County Superintendents, and District Directors.

1873. Chap.  
25.

*"In each county of the State of Tennessee the office of District Directors shall be abolished, and the schools shall be under the management and control of a County Board of Education and a District Board of Advisors."*

1907. Chap.  
236. County  
Board of  
Education.

(2) The public schools already established in any of the counties of this State shall continue to be managed and conducted as now prescribed by law until the school officers hereby created shall have been duly elected or appointed and qualified; and the provisions of this act shall not apply to them until a County Superintendent of Public Schools shall have been appointed.

1873. Chap.  
25. Sec. 52.  
Schools estab-  
lished previous  
to 1873.

### STATE SUPERINTENDENT.

SEC. 3. The State Superintendent *shall be a person of literary and scientific attainments, and of skill and experience in the art of teaching, and who shall be nominated by the Governor and confirmed by the Senate.*

1873. Qualifications  
of State Su-  
perintendent.  
See Acts  
1879. Chap.  
129.

1873. Chap.  
25. Term of  
office and  
compensation.

SEC. 4. (1) He shall hold his office for two years, unless removed as hereinafter provided, and shall have an annual salary of \$3,000, to be paid out of the school money in the State Treasury; and during the term of office he shall devote his entire time and attention to the duties imposed by this act.

1891. Chap.  
25. Member  
of State  
Board.

(2) The State Superintendent of Public Instruction of Tennessee shall be, *ex officio*, a member of the State Board of Education.

Ex officio.

(3) He shall also be a member, *ex officio*, of all other State educational bodies or associations.

1899. Chap.  
343.

(4) *He shall be Secretary and Treasurer of the State Board of Education.*

(By Chap. 343, page 788, Acts 1889, the State Superintendent is made Secretary and Treasurer of the State Board of Education, and Treasurer of the Peabody Normal College fund.)

1873. Chap.  
25. How re-  
moved.

SEC. 5. He shall be liable to removal from office by the Governor for misconduct or neglect of duty; any vacancy to be supplied by a new appointment for the unexpired term; *Provided*, That, in the event of any such removal, the reasons for the same shall be communicated, in writing, to the Superintendent thus displaced, and also to the Senate, if in session, and, if not, within ten days after it may next meet.

1873. Chap.  
25. Office at  
capitol.

SEC. 6. The office of the State Superintendent shall be at the capital of the State, and a room in the State Capitol may be provided for that purpose.

#### DUTIES OF STATE SUPERINTENDENT.

1873. Chap.  
25.

SEC. 7. The duties of the Superintendent shall be as follows:

Statistics,  
etc.

(1) To collect and disseminate statistical and other information relating to the public schools.

Inspection.

(2) To make tours of inspection among the public schools throughout the State.

1905. Chap.  
10. To suspend  
schools for in-  
struction and  
conference.

(3) To suspend the schools of any county for one day in each year, when he may deem it necessary, upon giving proper notice, and to require all teachers and school officers upon the day so appointed to attend at a designated



hour and place for the purpose of instruction and conference, and all teachers attending such meeting or conference under the regulations of the State Superintendent shall receive a certificate of attendance, which shall entitle them to receive pay for the said day under their respective contracts to the same amount as if their respective schools had continued in session for said day.

(4) To see that the school laws and regulations are faithfully executed.

See that laws are executed.

(5) To prepare and distribute blank forms for all returns required by law, or deemed by him necessary to be made by teachers, school officers, and County Superintendents of Public Schools, for use of the several counties.

To prepare forms.

(6) To have printed and distributed to the County Superintendents and other school officers as many copies of the school laws as may be necessary, with appropriate forms and instructions for carrying said laws into execution.

Distribute school laws.

(7) To appoint, at his discretion, persons in each county to visit and examine all or any of the public schools therein, and report to him touching all such matters as he may indicate respecting their condition and management, and the means of improving them; but no compensation shall be made for such services.

Appoint examiners.

(8) To require of County Superintendents detailed reports annually, and as much oftener as he may deem proper; and he may require special reports at any time of any officer connected with the school system.

Require reports.

(9) To appoint some one to make the reports required to be made by the County Superintendent when such Superintendent shall fail to make full report at the time designated, and to allow such appointee what he may deem just for his services, which shall be paid by the delinquent County Superintendent; and upon his refusal to do so, the State Superintendent shall stop, in the hands of the County Trustee, that amount of his salary, or bring suit, in his official name, against him in a court of competent jurisdiction, to enforce the payment.

Appoint persons to make reports.

License of  
teachers.

(10) To prescribe the mode of examining and licensing school teachers, and their necessary qualifications.

Acts 1913.  
Chap. 40,  
Sec. 6.

(10-a) *To issue certificates of qualification to public school teachers (after July 1, 1914.)*

Preserve  
documents.

(11) To preserve in his office and conveniently arrange all documents and matters in relation to educational subjects that may come into it.

Report scho-  
lastic popu-  
lation.

(12) To report to the Comptroller of the State, on the first day of December in each year, the scholastic population of each county.

Biennial re-  
port.

(13) To *biennially* submit to the Governor, on or before the fifteenth day of September, a detailed report of his official proceedings for the year ending *the thirtieth day of June preceding*, exhibiting a plain statistical account of receipts and expenditures for public schools, and of their condition and progress, showing the number of children, male and female, white and colored, respectively, in the State and in each county, between the ages of six and twenty-one years, the total number of pupils enrolled, the average number belonging, and the per cent. of attendance during the year, the average paid to teachers, male and female, the amount of each branch of school expenditures, severally, the cost of education per scholar, and whatever else may tend to show the degree of success and usefulness of the system.

See Acts  
1879. Chap. 6.

NOTE.—By Acts 1873, scholastic year ended August 31; it was amended by Acts 1881, Chapter 113, Section 1, to end June 30.

Acts 1907, Chapter 153, Section 17, amends Section 13, of Acts 1873, by requiring "the report of the State Superintendent of Public Instruction to be made biennially instead of annually; *Provided*, that he shall have printed annually the statistical tables of the report and leave in the hands of printers or otherwise a sufficient number of same to bind with his biennial report."

1891. Chap.  
132, Sec. 3.

(14) It shall be the duty of the State Superintendent to have printed and distributed to the school officers of the State, and to the County Courts of the several counties, appropriate forms and instructions for carrying into effect the provisions of this act.

Distribute  
forms.

## STATE BOARD OF EDUCATION.

The Governor of the State shall appoint a State Board of Education, to consist of six members, two of whom shall be appointed for six years, two for four years, and two for two years; and, after the expiration of their first terms of office, their successors shall be appointed for six years. The Governor of the State shall be *ex officio* a member and President of said Board. The State Superintendent shall be *ex officio a member, Secretary* and Treasurer of the Board.

State Board of  
Education.  
Acts 1875.  
Chap. 90, Sec.  
13.

1891.  
Chap. 35.

## DUTIES OF STATE BOARD OF EDUCATION.

[The General Education Bill has amended many of the duties of the State Board of Education. See page 76.]

(a) It shall be the duty of said Board of Education to report, through the Superintendent, to the regular meeting of the General Assembly, the operations of the Board, the condition and progress of the normal schools, with such suggestions as they may deem advisable for the improvement of normal and public schools.

1875. Chap.  
90. Sec. 14.  
Report.

(b) The State Board of Education shall, at proper times, inspect the management of the State Normal College, and audit the accounts for the disbursement of the funds, and make a biennial statement, through the Governor, to the Legislature, showing its condition and progress, and otherwise guard the State's interest in the same.

1883. Chap.  
255. Sec. 3.  
Report of  
Board of  
Education.

SEC. 55. (1) The establishment of a normal school or schools is hereby authorized to be effected by the Board of Education hereinafter provided for. The said normal school or schools shall be made in every respect first-class institutions for the professional education of teachers, and the most approved method of instruction shall be adopted, and none but teachers experienced and skilled shall be employed to take charge of them.

1875. Chap.  
90. Normal  
schools.

(2) Said Board of Education shall, at as early date as may in their judgment be practicable, locate and make arrangements for opening such normal school or schools,

Board of  
Education.



furnishing them, adopting a course of study, employing teachers and other officers.

Location of  
schools.

(3) In the location of said normal school or schools, the State Board of Education shall give preference to such locality, accessible to all parts of the State, as shall offer gratuitously the most suitable grounds and buildings for the establishment of the same.

Donations.

(4) Said Board of Education may receive contributions of money from the Trustees of the Peabody Educational Fund, or donations of property or funds from any other source, for the benefit of this enterprise, which they shall in good faith dispose of and disburse in accordance with the conditions of the donations.

Trustees  
colleges.

(5) The trustees of colleges, universities, or educational institutions shall have the power to give the use of their property to the State Board of Education for the benefit of normal schools.

Admission  
pupils.

(6) No pupil shall be admitted into said schools who is under sixteen or over thirty years of age, and who shall not have undergone, satisfactorily, such examination as may be prescribed by the State Board of Education. Those already engaged in teaching may enter said normal school or schools as pupils upon conditions fixed by the State Board of Education.

Eligibility.

(7) Pupils of public schools may be recommended for admission into said normal school or schools by the County Superintendent, on consultation with the Directors of the School Districts of his county, and in cities by the Superintendent of Public Schools; and such pupils so recommended, and who pass a satisfactory examination, shall have precedence over all other applicants.

Diplomas.

(8) Diplomas shall be granted to those who honorably complete the course of study prescribed in said schools; and possession of such diplomas shall exempt the holder thereof from the examination prescribed as a condition precedent to employment in the public schools of the State, any such graduate being eligible as a teacher in any county of the State.

(9) The same registers, records, and reports which are prescribed in the State school law for the public schools, or which may be ordered by the State Superintendent of Public Instruction, shall be kept by the officers and teachers of said normal schools, and regular reports shall be made directly to the State Superintendent, at the times and in the manner required by law for other public schools, or at such other time as he may require.

Registers and reports.

(10) The State Board of Education shall keep such normal schools as may be established for white and colored pupils entirely distinct and separate; *Provided*, That the provisions therein for training and improvement shall be impartially proportioned to the demands of each.

White and colored pupils distinct.

(11) The salaries of principals, teachers, and other officers of said normal schools, and all other expenditures, shall be determined by the State Board of Education, and the disbursements shall be made by the Treasurer of the Board, upon its order.

Salaries.

(12) To prescribe rules and regulations for the examination of applicants for County Superintendents, to be held on the first Monday in October preceding each biennial election, and at any other date or dates fixed by the Board. (Acts 1895, Chapter 54.)

Examine applicants for County Superintendents.

#### DUTIES OF SECRETARY OF STATE BOARD OF EDUCATION.

(a) *The State Superintendent of Public Instruction shall be Secretary and Treasurer of the State Board of Education, and as such shall have charge and general supervision of the disbursement of all moneys hereafter appropriated for the Peabody Normal College, and for all normal colleges and institute funds. He shall keep in his office at the State Capitol a record of all money appropriated for said normal school or schools, and its distribution, and before any such money so appropriated shall be drawn from the Treasury, he shall pass upon and certify to the correctness of all vouchers to be filed with the Comptroller prior to the issuance of his warrant.*

Secretary and Treasurer.

Acts 1899.  
Chap. 343.

(b) *The State Superintendent of Public Instruction, as the Secretary and Treasurer of the State Board of Education,*



*shall give bond in the sum of ten thousand dollars, payable to the State of Tennessee, for the faithful performance of his duty as such Treasurer, which bond shall be approved by the Governor and Attorney General.*

NOTE.—Amended by General Education Bill, Sec. 7. Acts 1909. Chap. 264.

#### COUNTY SUPERINTENDENTS.

1873. Chap.  
25. How  
elected.

Qualifica-  
tions.

Removal.

Examination,  
qualification  
and election  
of County  
Superintend-  
ents.

1895. Chap.  
54.

SEC. 8. 1. There shall be a County Superintendent for each county, who shall be elected by the County Court at its April or July term, 1873, and after 1874 he shall be elected biennially in January, and no member of the County Court shall be eligible to said office. He shall be a person of literary and scientific attainments, and, when practicable, of skill and experience in the art of teaching; shall hold his office for two years, and shall receive such pay for his services as may be allowed him by the County Court, to be paid upon the order of the Chairman or Judge of the County Court by the County Trustee. He shall be subject to removal from office for misbehavior or inefficiency at any time by the County Court; *Provided*, That the cause for such removal shall be communicated to him in writing.

Said County Superintendent shall be a person of literary and scientific attainments and of skill in the theory and practice of teaching; *Provided*, that preceding each biennial election or any election to fill a vacancy for County Superintendent of Schools each applicant shall file with the Chairman of the County Court a certificate of qualification given by the State Board of Education; *Provided*, that on the first Monday in October preceding each biennial election for County Superintendent of Schools *and at any other date or dates fixed by the State Board of Education*, each applicant for said office shall undergo a public examination at the county site of the county in which he or she is an applicant, to be conducted by a commission of three residents of the county, said commission to be previously appointed by the Chairman of the County Court, and to be citizens who, by education and experi-

ence, are most eminently qualified to conduct said examination, the same to be held by the State Board of Education under such rules and regulations as said Board may prescribe; *Provided*, that the said applicant shall furnish evidence satisfactory to the said State Board of Education as to his or her moral character, said evidence to be furnished in such manner and form as shall be prescribed by the said State Board of Education; *Provided, further*, that if qualified as attested by said examination and as to moral character, said applicant shall receive a certificate of qualification by the State Board of Education; *Provided, further, that those who have been previously examined or may hereafter be examined under the regulations of the State Board of Education, and having attained 90 per cent. in general average, and not falling below 70 per cent. in any study, shall be exempt from said examination so long as they continue in the public school work; Provided, further, that those who have been previously examined within the past two years, or may hereafter be examined under the regulations of the State Board of Education, and having attained 80 per cent. in general average, and not falling below 70 per cent. in any study, shall be exempt from said examination for a period of six years.*

Evidence as to moral character to be furnished to State Board of Education, provided by Chap. 508.

Acts 1899.  
Chap. 231.

Acts 1911.  
Chap. 69.

*In the election of County Superintendent of Education, women of the age of twenty-one years, and otherwise possessing the necessary qualifications, shall be eligible for said position.*

1889. Chap.  
107. Women  
eligible.

#### DUTIES OF COUNTY SUPERINTENDENT.

SEC. 9. That the duties of the County Superintendent shall be as follows: .

1873. Chap.  
25.

(1) To have supervision of the public schools in the county.

Supervision.

(2) To visit the schools of the several districts from time to time, and confer with the teachers and District Directors as to the improvement of schools or the promotion of their interest in any way.

To visit the  
schools.

Directors' reports.

(3) To see that the District Directors make their reports on all matters required of them; and when they fail to make full reports, or to make them in time, the County Superintendent may appoint some other person to perform these duties.

To examine and issue certificates.

(4) To perform such duties in relation to the examination of teachers, and issuing to them certificates of qualification, as may be required of him by the State Superintendent.

To report to Trustee.

(5) To report to the County Trustee, as soon as ascertained, the scholastic population of each school district on the last day of June.

Acts 1907, Chap. 236.

To observe directions of State Superintendent.

(6) To act as Secretary of County Board of Education.

When to report.

(7) To observe such directions and regulations as the State Superintendent of Schools may from time to time prescribe; to make special reports to that officer whenever required; and, on or before the first day of August, annually, to make to him a report for the year ending the *thirtieth day of June preceding*, in such form and containing all such particulars as shall be prescribed and called for, a copy of said report to be furnished to the County Court of his county at its quarterly session on the first Monday in January.

To keep record of official acts.

(8) To keep a record of all his official acts in a book to be provided for that purpose, and to keep a record of the numbers and boundaries of the school districts of his county, and the changes that may be made therein from time to time.

1899. Chap. 410.  
Warrants to be countersigned by Superintendent.

(9) *In all cases where the District Directors of the public schools issue warrants upon the County Trustee for school apparatus, maps, charts, globes, school furniture, and all other expenditures of the public school funds, except for teachers' salaries, the warrants drawn by said Directors shall be countersigned by the County Superintendent before the same shall be paid by the County Trustee, and all warrants issued by said Directors for any claim shall be written and signed in ink.*



(9a) It shall be unlawful for the County Trustee to pay out school funds upon warrants issued by District School Directors for maps, charts, libraries, and other school furniture or apparatus, unless such warrants are approved by the County Judge or Chairman of the County Court and the County Court Clerk of the county wherein the articles are sold.

1905. Chap.  
64. Warrants  
for maps,  
charts, libra-  
ries, school  
furniture or  
apparatus to  
be approved  
by County  
Judge or  
Chairman and  
County Court  
Clerk.

The provisions of this act shall not apply to, nor in any way affect the payment of, warrants for the purchase of chalk, fuel, brooms, and other incidentals.

Any Trustee violating the provisions of this act shall be guilty of misdemeanor, and upon conviction shall be fined and imprisoned at the discretion of the court, and, moreover, shall be liable to the district out of whose funds the money is paid for the amount so paid, which may be sued for in any court having jurisdiction by any citizen of the district affected.

Violation.

Misdemeanor.

The grand juries are hereby given inquisitorial powers of violations of the provisions of this act, and it shall be the duty of the Circuit and Criminal Judges of the State to give the matter specially in charge to the grand jury.

(10) It shall be the duty of the County Superintendent to keep a well-bound book, in which he shall enter a memorandum of all warrants countersigned as provided in the last sub-section, showing the amount and date of each warrant, to whom issued, for what purpose, and from which district; and said County Superintendent shall include in his annual report to the County Court a full, clear, and succinct statement of all warrants so countersigned by him.

1899. Chap.  
410.  
Superintend-  
ent to keep  
record book.

SEC. 10. (1) County Superintendents of Public Instruction are prohibited from teaching any public school, either as principal or assistant, during their official terms, "and from taking" any contract for building or repairing public school property, and from becoming the owner of school warrant other than allowed him for his services as County Superintendent; *Provided*, That this act shall only apply to counties of 30,000 inhabitants and over.

1895. Chap.  
155.  
County Su-  
perintendent  
not to teach,  
nor to contract  
as to school  
property, nor  
to buy school  
warrant in  
counties of  
over 30,000.

Teaching.  
Misdemeanor in  
office, and fine.

(2) It shall be a misdemeanor in office for any County Superintendent to teach any public school, as principal or assistant, during his official term. In addition to the punishment prescribed by statute for misdemeanors in office, such Superintendent shall be fined not less than twenty-five dollars nor more than fifty dollars for each offense committed, and all fines arising from such causes shall be paid into the public school fund of the county where such offense is committed. (*Id.*, Sec. 2.)

Acts 1907.  
Chap. 236.  
Vacancies in  
County Board.

SEC. 11. (1) That whenever a vacancy occurs among the members of the County Board of Education, the County Superintendent of Public Instruction shall fill the same by appointment upon being notified of such vacancy.

Acts 1907.  
Chap. 236.  
Vacancy in  
District  
Boards.

(2) That in case of a vacancy in any District Advisory Board, it shall be the duty of the County Superintendent to fill said vacancy by appointment upon notification of same by the remaining member or members of said Advisory Board.

To encourage  
tree planting.

1887. Chap.  
172.

It shall be the duty of the County Superintendent of Public Schools of each county to set apart some day in November in each year as "Arbor Day" in all the public schools of the county, that trees may be planted around the buildings, that the grounds around such buildings may be improved and beautified; such planting to be attended with appropriate and attractive ceremonies, that the day may be one of pleasure as well as of instruction for the young; all to be under the supervision and direction of the teacher, who shall see that the trees are properly selected and set.

#### COUNTY BOARD OF EDUCATION.

School dis-  
tricts to be  
created.

Acts 1907.  
Chap. 236.

SEC. 2. That the County Court of each county in the State shall, at its session to be held the first Monday in July, 1907, divide the county into five school districts, each representing as nearly as practicable equal area of territory or the same number of inhabitants; *Provided*, that each of these school districts shall be composed of whole civil districts; and, *Provided, further*, that in counties having fewer than five civil districts, each civil dis-



trict shall constitute a school district, and a member of said Board of Education be elected from each of said districts, and the remaining member or members be elected from the county at large.

SEC. 3. That one member from each of said school districts and the other members aforesaid from the county at large shall constitute said County Board of Education; *Provided*, the County Superintendent shall be Secretary of the County Board of Education.

Members of  
County  
Board.

SEC. 4. That the County Court in the several counties of the State, at its July term, shall elect a member of the County Board of Education from each of the school districts above mentioned; or where there be fewer than five districts, the necessary number, as above provided for, from the county at large, which County Board of Education shall qualify and organize within ten days after their election by electing one of their number Chairman; *Provided, further*, that the members of the County Board of Education, thus elected, shall serve until September 1, 1908, and that on the first Thursday of August, 1908, and biennially thereafter, each member of the County Board of Education shall be elected by the qualified voters of the district, above provided for, and in counties with fewer than five districts the necessary number from the county at large; and the term of office of members, thus elected, shall begin on the first day of September next after said election, and their tenure of office shall be two years, or until their successors in office are duly elected and qualified.

How elected  
and qualified.

SEC. 5. That any person shall be eligible to the office of member of the County Board of Education who is qualified by at least a primary education, such as the primary public school course, to perform the duties required, and who is a resident of the district and a qualified voter therein. If he shall cease to be a resident thereof, his office shall be deemed vacant.

Who eligible.

SEC. 6. That whenever a vacancy occurs among the members of the County Board of Education, the County Superintendent of Public Instruction shall fill the same by appointment upon being notified of such vacancy.

Vacancies.

DUTIES OF THE CHAIRMAN OF THE COUNTY BOARD OF  
EDUCATION.

Duties of  
Chairman.

SEC. 7. That the duties of the Chairman of the County Board of Education shall be:

Acts 1907.  
Chap. 236.

- 1. To preside over the meetings of the County Board of Education, and to perform all the functions of a presiding officer in a deliberative body; *Provided*, that in the absence of the Chairman at any meeting, the members of the County Board of Education present may select a temporary Chairman, who shall perform the duties of the Chairman for that meeting; and, *Provided, further*, that it shall require the presence of three voting members to constitute a quorum for the transaction of business.

Special  
meetings.

2. To call special meetings of the County Board of Education whenever in his judgment the interest of the public schools requires it, and to appoint all committees authorized by said County Board of Education, and to sign all warrants issued by said County Board of Education.

DUTIES OF SECRETARY OF COUNTY BOARD OF EDUCATION.

Duties of  
Secretary.

SEC. 8. That it shall be the duty of the Secretary of the County Board of Education:

Acts 1907.  
Chap. 236.

1. To issue all warrants authorized by the County Board of Education upon the County Trustee for the expenditures of the public school fund, and to sign the same, together with the Chairman of the Board.

Quarterly  
written re-  
port.

2. To make a written report to the County Court quarterly of all expenditures of the public school fund by items, which accounts shall be audited by the County Judge and Auditing Committee of the County Court.

Keep record.

3. To keep in well-bound books, to be furnished by the county, a full and accurate record of each meeting of the County Board of Education, and accounts of all financial transactions, which books shall be kept in the office of the County Superintendent of Public Instruction.

SEC. 9. That the County Superintendent as *ex officio* Secretary of the County Board of Education be required to give bond, to be approved by the Chairman of the County Court, to the amount of \$500 for the faithful discharge of his duties.

County Superintendent  
*ex-officio*  
Secretary.

#### DUTIES OF THE COUNTY BOARD OF EDUCATION.

SEC. 10. 1. That it shall be the duty of the County Board of Education to hold a regular meeting on the first Saturday in July, October, January, and April of each year, and transact all public school business; *Provided*, the Chairman may call a special meeting whenever in his judgment the interest of the public schools requires it.

Duties of  
County  
Boards.

Acts 1907.  
Chap. 236.

2. To select teachers, fix their salaries, erect buildings, repair and furnish schoolhouses, fix all wages and incidental expenses, and control the expenditure of the public school fund, except as hereinafter provided for the Advisory Board.

Select  
teachers.

3. To run all public schools in the county, as nearly as practicable, the same length of time. If the daily attendance of one or more schools shall fall below the minimum fixed by the County Board of Education, then such school, or schools, shall be suspended until an attendance can be assured of not less than one-fourth of the number of pupils within the territory of said school, or schools; *Provided*, the County Board of Education shall not fix the minimum in any case at less than ten pupils.

Term of  
schools.

4. To locate schools where deemed most convenient, having due regard for lessening the number in order to improve the efficiency of the county system of education. Pupils may be permitted by the County Board of Education to attend school in a district other than that in which they reside, if more convenient, and they may be permitted to attend in another county than that of their residence, if more convenient; *Provided*, it be by agreement of the County Board of Education of both counties.

Location of  
schools.

5. To receive monthly reports from the teachers of their respective districts and issue an order or certificate

Reports from  
teachers.



therefor on the Chairman of the County Board of Education for warrant of salary due.

Visit schools.

6. To visit the public schools of their respective districts as often as the County Board of Education may require, but not less than twice a year.

Act on appeals.

7. To act on cases of appeal of pupils suspended by action of the Advisory Board.

Dismiss teachers.

8. To dismiss teachers for incompetency, improper or immoral conduct, and inattention to duty.

School property.

9. To take care of, manage, and control all school property; buy, transfer, or sell school property, and make and take proper conveyances and perform all duties now required of District Directors under Section 70 of Chapter 25 of Acts of 1873, and Chapter 44 of Acts of 1859-60, which may not be included in the foregoing sub-section.

#### DISTRICT ADVISORY BOARD.

Local or "Advisory Boards."

SEC. 13. That there shall be a local board of three members from each civil district in the county, known as the "Advisory Board," which Advisory Board shall be elected by the qualified voters of the civil district biennially. The first election shall be held the first Thursday in August, 1908; *Provided*, that the District Directors now in office in said civil districts shall constitute the Advisory Board until their successors are elected and qualified under the provisions of this Act.

Acts 1907.  
Chap. 236.

#### DUTIES OF THE DISTRICT ADVISORY BOARD.

Duties of "Advisory Boards."

SEC. 14. That the duties of the said Advisory Board shall be as follows:

1. To visit the schools and inspect the school work in their respective districts, to see that the schoolhouse is in good repair and properly equipped for work, that the school grounds are improved and properly kept, and that the buildings are supplied with water, fuel, and other necessities.

Acts 1907.  
Chap. 236.

2. To make general recommendations to the County Board for the advancement of school interests in said districts, and to recommend to the County Board of Education desirable teachers for their schools.

3. To make a written report once a year to the County Board, or oftener, if required by the said County Board, in relation to the matters committed to said Advisory Board.

4. To have the Secretary enumerate the scholastic population of the civil district annually during the month of July, and report same to the Secretary of the County Board of Education, and the Secretary of said Advisory Board shall receive for this an amount not exceeding two cents per capita for pupils enumerated; *Provided*, that in enumerating the scholastic population, the full name of the child, the name of the parent, and the age of the child be recorded, and also the fact as to whether the child is able to read and write; *Provided*, that in any town or city maintaining a separate school system, the Board of Education for said town or city is hereby empowered and directed to enumerate the scholastic population for said town or city under the rules and regulations as herein provided; *Provided*, further, that in addition to giving the name of the child, the name of the parent, and stating whether the child can read and write, the name of the street and the number of residence shall be given; *Provided*, further, that the enumerator of the scholastic population, whether in the county or city, shall make affidavit in due form of law that he has taken the census carefully and accurately in accordance with the provisions of the law and that his report is correct to the best of his knowledge and belief. The City Board of Education and the District Advisory Board shall file this affidavit, together with the census report, with the County Superintendent on or before August 1st of each year.

Scholastic  
census.

City Board of  
Education to  
enumerate for  
cities.  
Acts 1909.  
Chap. 562.

5. To suspend and dismiss pupils, subject to appeal to the County Board of Education.

Suspend  
pupils.

6. To issue an order upon the County Board of Education for expenditures for repairs and incidentals to an amount not exceeding ten dollars.

Order for  
supplies.



## SCHOOL TEACHERS.

Acts 1913.  
Chap. 40.

No person shall be employed to teach in any public elementary or high school of the State or receive pay for teaching out of the public school funds of any county until he has received a certificate from the State Superintendent of Public Instruction, as prescribed in this Act. (that is, one issued by the State Superintendent of Public Instruction.) No such payment shall be allowed if made, and any officer who shall make or sanction the same shall be subject to a penalty of not less than Five (\$5.00) Dollars nor more than Fifty (\$50.00) Dollars, to be paid into the public school fund of the county in which collected.

Age.

No person under eighteen years of age shall receive a certificate to teach in the public schools of this State, and no person under twenty years of age shall receive pay out of the public school funds as the principal of any school having more than one teacher.

Qualifications  
of teachers.

No person shall receive a certificate to teach in the public schools of this State unless he has a good moral character, and under no circumstances shall certificates be granted to persons addicted to the use of intoxicants, opiates or cigarettes. All persons who appear before the local examining committee of any county or the State Board of Examiners for teachers' certificates, as hereinafter provided, must satisfy the local examining committee or the State Board of Examiners that they meet the requirements of this Act as regards age and moral character before being allowed to proceed with the examination; and the local examining committee or State Board of Examiners may require proof as to age and testimonials as to character.

No person shall teach in any public school of this State who has any contagious or communicable disease in such form as that the health of children would be endangered by his presence in the school room with them; and any County Board of Education or City Board of Education may require a teacher to submit to an examination by a competent physician at any time when there is reason to believe that the teacher has any disease of this kind; and

any Board of Education may require from any teacher asking to be employed in any public school under its direct control a certificate of health signed by a competent physician.

SEC. 2. *Be it further enacted*, That every teacher in the public schools of the State shall keep a daily record of facts pertaining to his school in such form as is required by the State Superintendent of Public Instruction and as indicated in the school register furnished the teacher for that purpose, and the teacher shall be responsible for the safe keeping and delivery of the same to the County Superintendent of Public Instruction at the close of the school term or at the close of his services.

Records  
required.

SEC. 3. *Be it further enacted*, That written contracts for the school year shall be made between the County Boards of Education and the public school teachers at fixed rates per month before they enter upon their duties. These contracts shall be in such form as may be furnished by the State Superintendent of Public Instruction, and every contract shall be signed in duplicate in ink, each party holding a copy. Failure to comply with the provisions of this section of this Act shall subject either or both parties to a fine of Twenty-five Dollars.

Contracts  
necessary.

SEC. 4. *Be it further enacted*, That any principal teacher of a public school may, for good and sufficient reasons, suspend a pupil from attendance on his school until the case is decided by the County Board of Education, which shall be with as little delay as possible.

*Provided*, that a report of every suspension shall be made at once, through the County Superintendent, to the County Board of Education.

SEC. 5. *Be it further enacted*, That it shall be the duty of all teachers in any county of this State to attend the full term of any county institute held for teachers of his race in that county under provisions made by the State and County Superintendents of Public Instruction; but, in lieu of attendance upon the institute in his county, a teacher may attend a similar institute in any other county in the

Institute  
attendance.

State in the same year, or take regular work in a summer session of one of the State Normal Schools or any regularly organized summer school of good standing.

#### COUNTY TRUSTEE'S DUTY.

1873. Chapter  
25. Duties of  
Trustees as to  
receipts and  
distribution of  
money.

SEC. 43. The County Trustee shall keep separate accounts of the State funds and the county funds, showing whence and on what account the moneys were severally derived, and by what order, and on what account, and to whom they were distributed; and, as soon as said moneys are received, he shall report the same to the County Superintendent and to the Directors of each school district.

1873. Chap.  
25. Trustee's  
bond.

SEC. 44. He shall give bond for the faithful performance of his duties, with surety, to be approved by the County Court of his county, in double the amount of the money that may come into his hands, and his compensation for receiving and paying over to the rightful authorities all moneys received by him shall be six per centum (6 per cent) on all sums up to ten thousand dollars (\$10,000), and four per centum (4 per cent) on all sums above ten thousand dollars (\$10,000) and up to twenty thousand dollars (\$20,000), and a commission of two per centum (2 per cent) on all sums above twenty thousand dollars (\$20,000); *Provided*, That in computing the compensation of Trustees, all funds—State, county, school, and special—shall be taken and estimated as one, and each shall pay its respective portion of the above commissions on all sums of money received by said Trustee for said State and county, respectively; and, *Provided, further*, that at the time of the settlement with the proper officers of the State and county, and the computation of his commission on collections, said Trustee shall furnish said officers, respectively, with a certified statement from the Judge or Chairman of the County Court, showing the amount actually collected by him and paid over by him to the proper State and county authorities, respectively, as heretofore provided; *Provided, further*, that the Trustee shall not be entitled to any commission on money



turned over to him by his predecessor in office, or on money borrowed for the use of the county, or received from the proceeds of sale or sales of bonds; *Provided, further*, that the Trustee shall receive one (1) per centum on all moneys collected from county officers and fees and on the school fund received from the State or on money turned over to him by clerks of the courts and other collecting officers. (See Acts 1907, Chap. 602, p. 2123.)

SEC. 45. It shall be the duty of County Trustees to keep separate and apart from other funds the tax levied and collected for public school purposes in their county; and any Trustee, who converts any such school money to the discharge of any account charged against him by the State or county, shall be guilty of a misdemeanor, and shall be subject to a fine of not less than one hundred dollars (\$100), and imprisonment at the discretion of the court, and shall forfeit his office.

1881. Chap.  
129. Sec. 1.  
School money  
separate;  
misdemeanor  
to appropriate.

Penalty.

SEC. 23. No State nor County Superintendent of Schools, nor School Directors, nor any other officer, nor any teacher of the public schools, shall have any pecuniary interest, directly or indirectly, in supplying books, maps, school furniture and apparatus to the public schools of the State, nor shall act as agent for any author, publisher, bookseller, or dealer in any such school furniture or apparatus, or, directly or indirectly, receive any gift, emolument, reward or promise of reward, for his influence in recommending or procuring the use of any book, map, or school apparatus, or furniture of any kind, in any public school of this State; and any school officer or teacher who shall violate this provision, besides being removed from his post, shall be subject to a penalty of not less than two hundred, nor more than five hundred dollars, and shall be guilty of misdemeanor; *Provided, that nothing in this section shall be construed so as to include authors of books and maps.* (Acts 1899.)

1873. Chap.  
25. School  
teachers and  
officers shall  
not be  
agents.

Penalty

SEC. 24. All school officers going out of office shall deliver to their successors the records and all official papers belonging to the office. In case of the refusal of any officer to do so, on demand of his successor, he shall

1873. Chap.  
25. To de-  
liver records  
to successors;  
penalty for  
neglect.

forfeit not less than twenty-five nor more than one hundred dollars therefor, and a like penalty for each month during which he shall persist in withholding the same, and shall be guilty of a misdemeanor.

Act 1873.  
Chap. 25,  
Sec. 19.

No director (member of the County Board of Education) shall be a teacher in the public schools, nor take any contract for building a schoolhouse, nor any contract which his board is competent to make, nor become the owner of a school warrant.

1873. Chap.  
25. Penalties  
and forfeitures;  
by whom  
prosecuted.

SEC. 25. All penalties and forfeitures imposed by this act upon a County Superintendent of Schools shall be for the benefit of the public schools of the county; and all penalties imposed upon School Directors or other district school officers, or upon teachers, shall be for the benefit of the public schools of the district where the offense is committed. The suit for such penalties shall be in the official name of the State Superintendent. And if prosecuted in a court of record, it shall be the duty of the District Attorney to conduct the same. It shall also be the duty of the District Attorney, and any school officer of the county, or of any school district, as the case may be, to set such prosecution on foot; *Provided*, That if a penalty shall be inflicted for any such offense, in pursuance of this act, the party shall not be a second time subject to a penalty therefor.

#### SCHOOLS AND PUPILS WHO MAY ATTEND SCHOOLS.

1873. Chap.  
25. School  
attendance.  
1879. Chap.  
6.

SEC. 30. The public schools shall be free to all persons between the ages of six and *twenty-one* years residing within the school district, and in special cases those children residing in different districts may be educated in school under such regulations as may be prescribed by the Directors of the district interested; *Provided*, That white and colored persons shall not be taught in the same school, but in separate schools, under the same general regulations as to management, usefulness and efficiency.

Term of school.  
1907. Chap.  
236.

All public schools in the county are to be run as nearly as practicable the same length of time. If the daily attend-



ance of one or more schools shall fall below the minimum fixed by the County Board of Education, then such school, or schools, shall be suspended until an attendance can be assured of not less than one-fourth of the number of pupils within the territory of said school, or schools; *Provided*, the County Board of Education shall not fix the minimum in any case at less than ten pupils.

SEC. 32. (1) There shall be two classes of district public schools, designated respectively primary schools and secondary schools.

1891. Chap.  
132.  
Two classes of  
schools.

(2) The Directors of each school district shall establish and maintain therein as many primary schools as may be necessary to teach the children of the district; but they shall have due regard to increasing the length of the school term for the benefit of the district by limiting the number of schools, and they shall not waste the school funds by unnecessary multiplication of schools. In every primary school shall be taught Orthography, Reading, Writing, Arithmetic, Grammar, Geography, History of Tennessee, [*containing*] *the Constitution of Tennessee* (Acts 1899), and History of the United States, containing the Constitution of the United States. Vocal Music and Elocution, or the art of public speaking, may be taught therein, and no other branches shall be introduced, except those added in (4) below.

Primary  
schools.

(3) The Directors of each school district, whenever the interests of the district shall require it, may establish and maintain therein one or more secondary schools. Every secondary school shall consist of a Principal, and when necessary and assistant or assistants may be employed.

Secondary  
schools.

In every secondary school shall be taught the following branches: Orthography, Reading, Writing, Arithmetic, Grammar, Geography, History of Tennessee, [*containing*] *the Constitution of Tennessee* (Acts 1899), History of the United States, containing the Constitution of the United States, Elementary Geology of Tennessee, Elementary Principles of Agriculture, Elements of Algebra, Elements of Plane Geometry, Elements of Natural Philosophy,

Bookkeeping, Elementary Physiology and Hygiene, Elements of Civil Government, and Rhetoric or Higher English. Practice shall be given in Elocution, or the art of public speaking. Vocal music may be taught, and no other branches shall be introduced, except those included in (4) following.

Physiology and Hygiene, effects of alcoholic drinks, narcotics and cigarette smoking be taught.

(4) Amendment taking effect January 1, 1896 (Acts 1895, Chap. 180): In addition to the branches in which instruction is now given in the public schools of this State, Physiology and Hygiene, with a special reference to the nature of alcoholic drinks and narcotics, and smoking cigarettes, and their effects upon the human system, shall also be taught as thoroughly as other required branches, and shall be made a regular course of study for all pupils in all schools supported entirely or in part by public money.

Teachers required to have knowledge of such branches.

(5) No certificate shall be granted to any person to teach in the public schools of this State after the first of January, 1896, who has not passed a satisfactory examination in Physiology and Hygiene, with special reference to the effects of alcoholic drinks and narcotics, and cigarette smoking upon the human system.

1879. Chap.  
187. Sec. 2.  
Commissioners  
for text books.

(6) The Superintendent of Public Instruction of this State, and Commissioner of Agriculture, shall be constituted a commission to procure the preparation of, or the designation of, a work on the "Elementary Principles of Agriculture," which shall be taught in the public schools of the State, as are the other studies prescribed in the 21st [31st] section of the public school law; *Provided*, No moneys are to be paid by the State, or out of the school fund, for the preparation of the necessary book.

On elements of  
Agriculture.

1891. Chap.  
132. Sec. 2.  
Schools graded  
by County  
Superintendent.

(1) The course of study in the public schools of each county shall be graded, and the system of promoting pupils through the several grades shall be prescribed by the County Superintendent thereof, in accordance with the general regulations of the State Superintendent. The course of study in the primary schools shall consist of five grades, and the course of study in the secondary schools shall consist of eight grades, the first five grades in each being identical.

(2) Pupils completing the first five grades, and attaining proficiency therein, shall receive a certificate from the State Superintendent, certifying that the holder has completed the primary school course, which shall be countersigned by the County Superintendent and District Directors and the teacher of the teachers of the school, and shall entitle the holder to enter the sixth grade of the secondary school of any school district, or of the high school of any high school district, which is now or may hereafter be established and in which the holder resides.

Certificates  
to pupils  
completing  
primary  
schools.

(3) Pupils completing the eighth grade in the course of the secondary schools, and obtaining proficiency therein, shall receive a diploma from the State Superintendent, which shall be countersigned by the County Superintendent and by the District Directors and by the teachers of the school, and which shall entitle the holder to enter the ninth grade of the high school of any high school district which is now or may hereafter be established, and in which the holder resides.

Diplomas to  
pupils com-  
pleting sec-  
ondary  
schools.

SEC. 33. The District Directors shall have the power, and they are hereby authorized, to make contracts of consolidation with the trustees, teachers, or other authorities of academies, seminaries, colleges, or private schools, by which the public schools may be taught in such institutions; *Provided*, That the branches of study designated in the thirty-second section of this act shall be taught free of any charge in such consolidated schools; *and Provided, further*, That the authority of the County Superintendent, District Directors, and other school officers, over those studying such branches, shall be as full and ample as in the ordinary public schools. (See County High School Bill.)

1873. Chap.  
25. Consoli-  
dated schools.

#### SCHOOL FUNDS AND THEIR DISTRIBUTION.

SEC. 34. The permanent school fund of the State shall be the one million five hundred thousand dollars, ascertained and declared by Section 946 of the Code, and recognized by the Constitution of the State to be the permanent school fund. To this shall be added the interest which

1873. Chap.  
25. School  
fund.



has accrued on the same, and not been paid by the State, amounting, on the first of January, 1873, to \$1,012,500, making this entire permanent State school fund \$2,512,500. For this \$2,512,500 a certificate of indebtedness shall be issued, signed by the Governor, under the great seal of the State, and deposited with the Comptroller of the Treasury, and which, on its face, shall show the purpose for which it was issued; and shall provide for the payment of the interest thereon at the rate of six per centum, payable semi-annually on the first day of July and the first day of January in each year, commencing on the first day of July, 1873. To the permanent State fund may be added, from time to time, the proceeds of all escheated property, of all property accruing to the State by forfeiture, of all lands sold and bought in for taxes, of the personal effects of intestates having no kindred entitled thereto by the laws of distribution, and donations made to the State for the support of the public schools unless otherwise directed by the donors. The principal of the said fund shall always remain unimpaired and entire, and the annual income arising therefrom shall be, and is hereby, dedicated to the support and maintenance of the public schools of the State.

Escheats.

1873. Chap.  
25. Fund.

SEC. 35. The State school fund for the annual support of public schools shall be the annual proceeds of the permanent State school fund—any money that may come into the State treasury for the purpose under the present or future laws of the State, and any money that may come into the State treasury for the purpose from any source whatever. (To this has been added money derived from Acts 1909, Chapter 264, and Acts 1913, Chapter 23.)

1873. Chap.  
25. Poll tax.

1875. Chap.  
138. Sec. 1.

SEC. 36. Every male inhabitant in the State subject thereto shall pay a poll tax of one dollar for the support of the public schools, *which shall be collected as other taxes are, and paid over to the County Trustee in the county where collected, and distributed therein to each school district according to scholastic population.*

1873. Chap.  
25. School  
Tax—how  
collected.

SEC. 37. The State school tax shall be collected in the same manner as other State taxes, but when the collectors



pay over to the Treasurer of the State the money collected by them, they shall designate what part of the same is the proceeds of the school tax.

SEC. 38. A tax of *one and one-half mills* on the dollar shall be, and is hereby, annually assessed upon all property subject to taxation for the support of the public schools, which shall be collected as other taxes are, and paid over to the County Trustee in the county where collected, and distributed therein to each school district according to scholastic population.

1873. Chap. 25. One and one-half mills tax.

SEC. 39. When the money derived from the school fund and taxes imposed by the State on the counties shall not be sufficient to keep up a public school for five months in the year in the school districts in the county, the County Court shall levy an additional tax sufficient for this purpose, or shall submit the proposition to a vote of the people, and may levy a tax to prolong the schools beyond the five months, said tax to be levied on all property, polls, and privileges liable to taxation, but shall not exceed the entire State tax.

1873. Chap. 25. School term of five months.

SEC. 40. Taxes so levied by the county shall be collected in the same manner as other county taxes, and shall be paid over to the County Trustee for distribution among the school districts of the county according to their scholastic population.

1873. Chap. 25. Taxes—how collected and how distributed.

SEC. 41. All school money coming into the hands of the State Treasurer or County Trustee shall be kept separate and apart from any State or county funds in their hands.

1873. Chap. 25. School money kept separate from other money.

SEC. 42. All sums of money derived from State or county funds, which are unexpended in any year in any public school district, *shall not go into the hands of the County Trustee for redivision the next year, but shall be credited to such district, and be added to the amount next apportioned to such district.*

1873. Chap. 25, Sec. 50. Surplus.  
1875. Chap. 138, Sec. 4.

SEC. 43. In all cases where school money has been collected in issues of the Bank of Tennessee, and burned, it shall be the duty of the Comptroller to issue his separate

1875. Chap. 138, Sec. 3. Bank of Tennessee issue.

warrant for each year to the County Trustee of each county for the amount of school money belonging to such county for each year so burned, or burned as aforesaid; and the proceeds of said warrants, together with all other school funds now in the hands of County Trustees, Superintendents, or other officers, belonging to each year, shall be applied, under the direction of the County Judge or Chairman of the County Court, first, in payment of all just claims accruing in said year, and the balance, if any, applied in payment of just claims next in time of accruing.

1873. Chap.  
25. School  
money—  
how appor-  
tioned.

SEC. 44. All money in the treasury of the State for the annual support of her schools on the first Monday of October and April of every year shall be apportioned by the Comptroller among the several counties according to their scholastic population, as reported to him by the State Superintendent. He shall give immediate notice of such apportionment to the County Trustee of each county, and shall give notice in some newspaper at the seat of government of the amount apportioned to each county. He shall issue his warrant on the Treasurer in favor of the County Trustee of each county for the amount apportioned to such county, and transmit the warrant to such Trustee.

1897. Chap.  
36, Sec. 1.  
Trustee's  
quarterly  
settlements  
and distribu-  
tions.

SEC. 45a. The County Trustee of each county shall make quarterly settlements with the County Judge or Chairman of the County Court of all school funds arising from State or county levies, or from any other source for school purpose, and shall also make with said County Judge or Chairman of the County Court quarterly distribution of the school moneys in his hands, and shall report the same to the County Superintendent and to the Directors of the several school districts, and the County Superintendent of Public Instruction for the county shall be present at each quarterly settlement and distribution of the school fund, and shall have supervision thereof.

1897. Chap.  
36, Sec. 2.  
Trustee's an-  
nual settle-  
ments.

SEC. 45b. Said County Trustee shall also have annual settlements of the school fund with said County Judge or Chairman of the County Court before July 15th of each year, for the school year ending June 30th previous;

and in said settlement said Trustee shall be charged with all tax aggregates, picked-up taxes, and with all funds which have come or ought to come into his hands for the school purposes, and shall be credited with all releases granted by the County Court, with his lawful commissions and with all amounts lawfully disbursed; and the County Superintendent of Instruction shall be present at such annual settlement, and shall have supervision thereof.

SEC. 45c. It shall be the duty of the County Superintendent to make quarterly reports to the State Superintendent on or before the 15th day of January, April, July, and October of each year, setting forth an account of the school funds derived from all sources, in accordance with the forms or on the blanks provided by the State Superintendent.

1897. Chap.  
36, Sec. 3.  
Quarterly  
reports of  
County  
Superintend-  
ents.

SEC. 45d. The County Trustee shall, on or before July 15th of each year, make annual reports to the County Superintendent for the school year ending June 30th previous in accordance with the forms or on the blanks provided by the State Superintendent; and said annual report shall set forth an account for all moneys received during the school year, under the heads of "Amount on hand at beginning of school year," "Gross amount received," "From State, County, from school districts and from all other sources," and an account of all moneys expended during said school year, under the heads of "Salaries of teachers," "School sites, buildings, and repairs," "Furniture and fixtures," "Libraries, maps, charts, and apparatus," "Paid District Clerks," "Paid County Superintendents," "Retained as fees of Trustee," "All other expenses," and "The balance on hand at the end of school year."

1897. Chap.  
36, Sec. 4.  
Trustee's an-  
nual report to  
County Su-  
perintendents.

SEC. 45e. Whenever it shall appear to the County Superintendent that any portion of the school fund has been or is in danger of being lost, misappropriated, or in any way illegally disposed of or not collected, it shall be the duty of said County Superintendent to report the same to the County Court, and also to report the same to the State Superintendent.

1897. Chap.  
36, Sec. 5.  
Protection of  
fund against  
loss.



1897. Chap.  
Sec. 6.  
Same.

SEC. 45f. Whenever it shall appear to the State Superintendent, from the report of County Superintendent or from other information, that any portion of the school fund has been lost, misappropriated, or in any way illegally disposed of or not collected, it shall be the duty of the State Superintendent, and he shall have power, to employ a resident attorney to look after the recovery and collection of such fund; and for his services may retain, out of moneys actually recovered and collected by him, not exceeding ten per cent thereof; and in no case shall said attorney receive any pay for said services except his commission as aforesaid, retained out of moneys actually collected, accounted for, and paid over by him to the officer lawfully entitled to receive the same.

1897. Chap.  
36, Sec. 7.  
Violation of  
law, misdemeanor.

SEC. 45g. It shall be a misdemeanor in office, punishable by fine, for any County Superintendent or County Trustee to fail or refuse to make any of the reports provided for in this act, and, in the event of such failure or refusal, it shall be the duty of the officer to whom such report is due, unless said report is made within thirty days after the date fixed by law, to certify said failure or refusal to the Attorney General for the county in or from which said failure or refusal shall have occurred.

1899. Chap.  
395. Comptroller to report warrant to County Judge.

*It shall be the duty of the Comptroller of the Treasury to certify to the Chairman or County Judge of each county in the State the date of issuance and amount of each warrant transmitted to the County Trustee of such county in the semi-annual disbursement of the public school fund.*

#### DISTRICTS ADJACENT TO INCORPORATED TOWNS.

Acts 1873.  
Sec. 23.  
Purchase property.

School districts adjacent to incorporated towns are authorized to purchase property inside the corporate limits of such town and erect thereon schoolhouses, which shall be under the exclusive control of the directors of such school districts, for the use and convenience of the school children in such school district.

NOTE—The powers conferred on District Directors by Acts 1873, are now given County Boards of Education by Acts 1907, Chapter 236,



## SCHOOLS OF MUNICIPAL CORPORATIONS.

SEC. 51. None of the provisions of this act shall be construed, so as to interfere with the schools or school systems already established in cities and incorporated towns, or conflict with the chartered rights by virtue of which funds for their support are being received, raised, and distributed, or to limit them as to the power to extend the course of study, it being intended to encourage the establishment of public high schools, when the population justifies it, as a means of perfecting the grading and elevating the standard of scholarship. But all such schools shall receive their *pro rata* share of moneys received under the provisions of this act, according to their scholastic population.

1873. Chap.  
25. Sec. 51.  
Not to interfere  
with cities  
and towns.

SEC. 52. That all the rights and privileges reserved and given to cities and incorporated towns by Section 51 of said act (1873, Chap. 25), be, and the same are hereby, extended to schools and school systems that have been established by cities or incorporated towns since the passage of said act, or that may hereafter be established by them.

1881. Chap.  
113, Sec. 2.  
Rights of  
cities and  
towns.

That cities and incorporated towns in which have been established, or may hereafter establish, such higher graded schools, be, and the same are hereby, authorized and empowered to supplement the school fund derived from State and county tax, by an additional municipal tax or levy, for the support of said schools; *Provided, however,* That no incorporated town or municipality shall exceed its lawful limit of taxation in making such additional levy.

1881. Chap.  
103. Sec. 3.  
Tax for graded  
schools

(1) The several incorporated cities and towns within this State may, through their Boards of Mayor and Aldermen, establish and maintain, within their respective corporate limits, a system of high graded common schools.

1885. Extra  
session,  
Chap. 19.  
Towns may  
establish  
common  
schools of a  
high grade.

(2) For this purpose the said Board of Mayor and Aldermen of any municipal corporation within this State may procure a suitable schoolhouse or houses, either by erection or purchase, and, in making such erection or purchase of such house or houses, and furnishing the same,

Erect school-  
houses.

may apply the common school fund to which their respective scholastic populations are entitled by law.

Levy additional  
tax.

(3) For the purpose of erecting, or causing to be erected, or purchasing such school buildings or houses, and furnishing the same, and for the purpose of establishing and maintaining such high graded common public schools, said Board of Mayor and Aldermen may levy and collect an additional tax to that imposed by or under the general provisions of the school law upon all taxable polls privileges, and property within the corporate limits; *Provided*, That the special tax levied under this section, and the taxes levied for general nuncipal purposes, shall, in no case, exceed the rate of taxation for general purposes fixed by charter limitation.

Board of  
Education.

(4) The Board of Mayor and Aldermen of any such municipal corporation, so establishing public schools, may, and they shall, have full power to appoint a Board of Education, consisting or not exceeding six qualified citizens residing within their corporate limits, which Board, when so appointed, shall have full power as trustees or directors to manage and control such schools, to elect or employ well-qualified teachers, and to prescribe all needful rules and regulations; and said Board shall hold its office as follows: Two for three years, two for two years, two for one year, and after the first year, two Commissioners shall be elected each year, subject to removal for good cause by the said Board of Mayor and Aldermen.

Mixed  
schools not  
permitted.

(5) Nothing in this act shall be so construed as to allow or permit mixed schools of the white and colored population, but such schools shall be taught separately, as now provided by law.

Extracts  
from Acts  
1885, Chap. 82,  
Sec. 2.  
Schools in  
taxing dis-  
tricts.

SEC. 54. The Board of Commissioners (of taxing districts of the second class) shall have power, by ordinance, within the district, . . . to establish and maintain a public school or public schools; or said Commissioners may join with the Public School Commissioners of the Civil District in which said Taxing District is located, in maintaining the public schools located within the limits of said Taxing District.

# Act for Protection of Female Boarding Schools.

ACTS 1897. CHAPTER 101.

AN ACT for the protection of boarding schools and colleges for females, and the principals and inmates thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter it shall be unlawful for any person, or persons, to wilfully and unnecessarily interfere with, disturb, or in any way disquiet the pupils of any school or college for females in this State, or the principal or teachers in charge of them, while on any public road or street, or in any building or structure, or on the school premises; nor shall any communication be had, for such purposes, with such pupils, or any one of them, either orally or in writing, or by signs or otherwise; and it shall also be unlawful for any person to enter upon any such school or college premises, except on business, without first having obtained permission of the principal in charge of same; and every person guilty of either of said offenses, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall pay a fine of not less than five nor more than fifty dollars for each offense, on the first conviction; and upon the second, and each subsequent conviction, of a like offense, shall pay a fine of not less than ten nor more than fifty dollars, and be imprisoned at the discretion of the court, in the county jail, not less than ten nor more than thirty (30) days.

Unlawful to disturb pupils of female schools.

SEC. 2. *Be it further enacted*, That it shall be unlawful for any person, or persons, to loiter, wander, stand, or sit upon the public roads, streets, alleys, sidewalks, or other places, or to frequently and unnecessarily pass

Unlawful to loiter around female school.

along the same in such manner, and with intent to annoy, vex or disturb the owners, lessees or occupants of any premises in the State used for the purposes of a school or college for the education of females, or with intent to disturb, annoy and harass the teachers, principal or pupils, or any one of them, as they pass along the public highways, streets, or alleys of any city in the State; and any person, or persons, violating this section of this act shall be deemed guilty of a misdemeanor and, on conviction, shall be fined and punished in the same way, and to the same extent, as if convicted under the first section of this act.



# County High School.

---

ACTS 1899. CHAPTER 279.

SECTION 1. Whenever it shall appear to the County Court of any county that the public interest requires it, said Court shall have power to provide for establishing and maintaining one or more county high schools for the instruction of the children of the county; the said high school or schools to be managed as hereinafter provided.

County high schools may be established.

SEC. 2. The said Court for the purpose aforesaid shall have power to levy special taxes, in addition to other taxes, for school purposes, not to exceed fifteen cents on the one hundred dollars on all taxable property, to be levied and collected as other county taxes; and the said court shall also have power, for the purpose aforesaid, to make appropriations out of any county funds not otherwise appropriated, except out of the public school funds; and the funds arising from the taxes levied for the purpose, and for the appropriation made for the purpose, shall constitute a special fund to be known as the County High School Fund, which shall be kept by the County Trustee separate and apart from all other funds, and applied exclusively to the purpose aforesaid.

Tax.

SEC. 3. The management and control of the county high school or schools shall be vested in the County High School Board of Education, which shall consist of seven members, six of whom shall be elected by the County Court as soon as the court shall have decided to provide for establishing a county high school or schools, two of whom shall be elected to serve until the following January term of the Court, two to serve until the second January term following their election, and two to serve until the third January following their election; at the expiration of the terms of the

County High School Board of Education.

several members, their successors shall be elected at the respective January terms of the Court, to serve three years. Not more than one member of the board shall be elected from the same school district, and the members shall be distributed through the different localities of the county as the Court shall deem equitable. The Court shall fill all vacancies for unexpired terms at the quarterly term of the Court after the vacancy occurs, or as soon thereafter as possible. The County Superintendent shall be *ex officio* a member of the Board of Education and Secretary thereof, and may receive such compensation for his services as Secretary as the Board shall allow, in addition to his salary as County Superintendent.

Branches  
taught;  
grades.

SEC. 4. In every county high school shall be taught all the branches of study now required or permitted by law to be taught in the secondary schools, excepting and excluding the branches named to be taught in the five grades of the primary schools; and in addition such other high school branches may be taught as the Board of Education may prescribe as necessary to prepare pupils for college or for business. The county high schools shall be graded by the Board of Education under the general regulations of the State Superintendent and the supervision of the County Superintendent, beginning with the sixth grade, which sixth grade shall be adjusted for the admission of pupils who have completed the five grades of the primary schools.

Three teach-  
ers.

SEC. 5. In order to secure efficient instruction for the extensive course of study, the Board shall employ in every county high school not less than three teachers.

Pupils.

SEC. 6. The county high school or schools shall be open to all the children of the county of lawful age who shall be otherwise qualified, and who have completed the primary school course, or its equivalent, as tested by examination or such regulations as may be provided by the Board for the admission of pupils; *Provided*, That the county high schools shall be separate for white and colored pupils, as provided by law for all public schools.

SEC. 7. The Board of Education shall have power to locate, establish, and manage the county high school or schools, to make contracts with teachers, draw warrants on the County Trustee on account of the high school fund, and shall perform such duties and exercise such powers with respect to the control and management of the county high school or schools as are now vested by law in the District Directors with respect to the control and management of the district schools.

Board to locate  
manage, etc.

SEC. 8. The County Board of Education shall have power to make contracts of consolidation with the proper authorities of seminaries, academies, or colleges, or with city Boards of Education, or District Directors, whereby the county high school may be taught in said seminaries, academies, or colleges, or city or district schools; *Provided*, That the high school branches be taught free of charge to all pupils of the county entitled thereto; *And provided, further*, That the authority of the State Superintendent, the County Superintendent, the Board of Education, and all school officers shall be as full and ample in such consolidated school as in other county high schools; *And provided, further*, That no teacher shall be employed in teaching the said high school branches unless said teacher shall have a teacher's certificate of such grade as may be prescribed for such service, the County Superintendent under the general regulations, and unless the employment of said teacher shall be approved by the Board of Education.

May consoli-  
date with other  
schools.

SEC. 9. The county high schools shall be under the general supervision of the County Superintendent and of the State Superintendent, as provided for other public schools, and it shall be the duty of the State Superintendent to provide such special blanks and forms, and general regulations, as may be needed for the examination of high school teachers, for warrants of the County Board of Education, for grading high schools and other purposes, and to make such changes in the form of reports as may be necessary to adapt them to the use of the high schools, and it shall be the duty of the teachers of the county high schools, and of consolidated county high schools, and of

Under County  
and State  
Superintend-  
ents; reports.

County Boards of Education, to make reports on the prescribed blanks and forms at the time provided by law for the reports of other public schools, and in accordance with the regulations of State and County Superintendents.

Non-residents  
of over school  
age.

SEC. 10. The County Board of Education shall have power to admit as pupils in the county high school or schools, persons over the school age, or non-residents of the county, upon the payment of such reasonable rates of tuition, and under such regulations as may be prescribed by the Board for persons not entitled to admission in said schools free of charge.

County Trus-  
tees to pay  
out fund,  
etc.

SEC. 11. It shall be the duty of the County Trustee to pay all warrants legally drawn by said Board of Education on account of the county high school fund, to keep an accurate account of said fund, and to render report of same to the said Board of Education, and to the proper officers as now provided by law with respect to other school funds.



# Text-Book Law.

---

ACTS 1899. CHAPTER 205.

SEC. 1. The Governor and State Superintendent of Public Instruction, together with three members of the State Board of Education to be named by the Governor, *and to serve for five years*, shall be, and are hereby, constituted a State Text-book Commission, whose duty it is to select and adopt a uniform series or system of text-books for use in the primary and secondary public schools in the State of Tennessee, and for use in the incorporated cities or towns in the high graded common schools. Said commission is hereby authorized, empowered, and directed to select and adopt a uniform system or series of text-books for use in the public schools in this State, as above indicated, and when so selected and adopted, the text-books shall be used for a period of five years, in all the public schools of this State, and it shall not be lawful for any school officer, director, or teacher to use any other books upon the same branches, other than those adopted by said State Text-book Commission. Said uniform series shall include the following branches of study, to-wit: Orthography, reading, writing, arithmetic, geography, grammar, language lessons, history of Tennessee, containing the constitution of the State, history of the United States, containing the constitution of the United States, physiology and hygiene, elementary geology of Tennessee, elementary principles of agriculture, elements of algebra, elements of plane geometry, elements of natural philosophy, bookkeeping, elements of civil government, rhetoric, and higher English, and such other branches of study in addition to the foregoing as said commission may select and designate for use in the high graded common schools in the incorpo-

Commission  
created.

Chap. 209.

Commission  
directed to  
adopt uni-  
form text  
books.

Branches of  
study.

Subcommis-  
sion author-  
ized.

Duties of  
subcommis-  
sion.

rated cities and towns of this State; *Provided*, That none of said text-books shall contain anything of a partisan or sectarian character. It shall be the duty of said commission to appoint a subcommission of five, to be selected from among the teachers, city or county superintendents actually engaged in the school business in this State, provided that not more than one of these shall be taken from any congressional district, to whom shall be referred all books sent to the State Text-book Commission as specimen copies, or samples, upon which bids are to be based, and it shall be the duty of said subcommission, in executive session, to examine and report upon the merits of the books, irrespective of the price, taking into consideration the subject-matter of the books, their printing, their material and mechanical qualities, and their general suitability and desirability for the purposes for which they are desired and intended. It shall further be the duty of said subcommission to report to the commission, at such time as said commission shall direct, arranging each book in its class or division, and reporting them in the order of their merit, pointing out the merits and demerits of each book, and indicating what book they recommend for adoption first; what book is their second choice; what their third choice, and so on, pursuing this plan with the books submitted upon each branch of study. And if said subcommission shall consider different books upon the same subject, or of the same class or division, of approximately equal merit, all things being considered, they shall so report, and if they consider that any of the books offered are of such class as to make them inferior and not worthy of adoption, they shall, in their report, so designate such books, and in said report they shall make such recommendations and suggestions to the commission as they shall deem advisable and proper to make. Said report shall be kept secret and sealed up and delivered to the secretary of the commission, and said report shall not be opened by any member of the commission until the commission shall meet in executive session to open and consider the bids or proposals of publishers, or others, desir-

ing to have books adopted by said commission. Each member of said subcommission, before entering upon the discharge of his duties, shall take and subscribe to an oath to act honestly, conscientiously, and faithfully, and that he is not directly or indirectly, in any manner interested in any of the proposed contracts, nor in any book, or publishing concern publishing any books of the kind or character contemplated for use in the public schools of this or any other State, and that he will examine all books submitted carefully and faithfully and make true report thereon, as herein directed and prescribed. Said oath shall be filed in the office of the Secretary of State. Said Text-book Commission shall hear and consider said report in its selection and adoption of the uniform series of text-books, and shall also themselves consider the merits of the books, taking into consideration their subject-matter, the printing, binding, material and mechanical qualities, and their general suitability and desirability for the purposes intended, and the price of said books, and they shall give due consideration and great weight to the report and recommendations of said subcommission; *Provided*, That no text-book the subject matter of which is of inferior quality, shall be adopted by the Text-book Commission. Said commission shall select and adopt such books as will, in their best judgment, accomplish the ends desired, and they are hereby authorized and directed, in case any book or books are deemed by them suitable for adoption, and more desirable than other book or books of the same class or division submitted, and they further consider the price at which such book or books are offered to be unreasonably high, and that it should be offered at a smaller price, to immediately notify the publisher or offerer of such book or books of their decision, and request such reduction in price as they deem reasonable or just, and if they and such publisher shall agree on a price, they may adopt this book or books, but if not, they shall use their own sound judgment and discretion whether they will adopt that, or the book or books deemed by them next best in the list submitted. And when said Text-book Commission shall

As to selection of books.



have finished with the report of said subcommission, the said report shall be filed and preserved in the office of the State Superintendent of Public Instruction, and shall be open at all times for public inspection.

How the  
commission  
shall be con-  
stituted.

SEC. 2. Said text-book commission shall, immediately after the passage of this Act, meet and organize, the Governor being *ex officio* president of the commission, and the commission shall elect its secretary. As soon as practicable, not later than thirty days after its organization, the commission shall advertise, in such manner, and for such length of time, and at such places, as may be deemed advisable, that at a time and place fixed definitely in said advertisement, sealed bids or proposals will be received from the publishers of school text-books for furnishing books to the public schools in the State of Tennessee, through agencies established by said publishers in the several counties, and places in counties, in the State, as may be provided for in such regulations as said commission may adopt and prescribe. The bids or proposals to be for furnishing the books for a period of five years, and no longer, and that no bid for a longer period would be considered. Said bid or bids shall state specifically and definitely the price at which the book or books will be furnished, and shall be accompanied by one or more specimen copies of each and every book proposed to be furnished, and it shall be required of each bidder to deposit with the Treasurer of the State a sum of money such as the commission may require, not less than five hundred (\$500) dollars, nor more than twenty-five hundred (\$2,500) dollars, according to the number of books each bidder may propose to supply, and notice shall further be given in said advertisement that such deposits shall be forfeited absolutely to the State, if the bidder making the deposit of any sum shall fail, or refuse, to make and execute such contract and bond as is hereinafter required, within such time as the commission may require, which time shall also be stated in said advertisement. All bids shall be sealed and deposited with the Secretary of State to be by him delivered to the commission when they are in executive

Bids to be  
advertised  
for.

Requirements  
of bidders.



session, for the purpose of considering the same, when they shall be opened in the presence of the commission.

SEC. 3. It shall be the duty of the said Text-book Commission to meet at the time and place designated in such notice, or advertisement, and take out the sample or specimen copies submitted, upon which the bids are based, and refer and submit these to the subcommission, as provided for and directed in Section 1 of this Act, with instructions to said subcommission to report back to them at a time specified, with their report, classification and recommendations, as provided in Section 1. When the said report is submitted it shall be the duty of the said Text-book Commission to meet in executive session, to open and examine all sealed proposals submitted and received in pursuance of the notice of advertisement provided for in Section 2 of this Act. It shall then be the duty of said commission to examine and consider carefully all such bids or proposals, together with the report and recommendations of the subcommission, and determine in the manner provided in Section 1 of this Act what book or books, upon the branches hereinabove mentioned, shall be selected for adoption, taking into consideration the size, quality as to subject-matter, material, printing, binding, and the mechanical execution and price, and the general suitability for the purpose desired and intended; *Provided, however,* That all books selected or adopted shall be written or printed in English. After their selection for adoption shall have been made, the said commission shall, by registered letter, notify the publishers, or proposers, to whom the contracts have been awarded, and it shall then be the duty of the Attorney General of the State to prepare the said contract or contracts in accordance with the terms and provisions of this Act, and the said contract shall be executed by the Governor and Secretary of State, with the seal of the State attached upon the part of the State of Tennessee, and the said contract shall be executed in triplicate, one copy to be kept by the contractor, one copy by the secretary of the Text-book Commission, and copied in full in the minute book of said commission, and

Procedure of  
commission.

What shall  
be considered.

Attorney  
General of  
State to pre-  
pare con-  
tracts.

Bond to be  
executed.

Bond may be  
sued on from  
time to time.

Forfeiture for  
failure to  
observe con-  
tract.

one copy to be filed in the office of the Secretary of State. At the time of the execution of the contract aforesaid, the contractor shall enter into a bond in the sum of not less than ten thousand dollars, nor more than thirty thousand dollars, payable to the State of Tennessee, the amount of said bond within said limits, to be fixed by said commission, conditioned for the faithful, honest, and exact performance of his contract, and shall further provide for the payment of reasonable attorneys' fees in case of recovery in any suit upon the same, with three or more good and solvent sureties, actual citizens and residents of the State of Tennessee, or any guarantee company authorized to do business in the State of Tennessee may become the surety on the said bond, and it shall be the duty of the Attorney General to prepare and approve said bond; *Provided, however,* That said bond shall not be exhausted by a single recovery, but may be sued on from time to time, until the full amount thereof shall be recovered, and the said commission may, at any time, by giving thirty days' notice, require additional security or additional bond within the limits prescribed. And when any person, firm, or corporation shall have been awarded a contract, and submitted therewith the bond, as required hereunder, the commission, through its secretary, shall so inform the Treasurer of the State, and it shall then be the duty of the Treasurer to return to such contractor the cash deposit made by him, and the said commission, through its secretary, shall inform the Treasurer of the names of the unsuccessful bidders or proposers, and the Treasurer shall, upon receipt of this notice, return to them the amount deposited in cash by them at the time of the submission of their bids. But should any person, firm, company, or corporation fail or refuse to execute the contract, and submit therewith his bond as required by this Act within thirty days of the awarding of the contract to him, and the mailing of the registered letter containing the notice, provided the mailing of the registered letter shall be sufficient evidence that the notice was given and received, the said cash deposit will be deemed, and is hereby de-

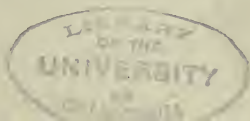
clared, forfeited to the State of Tennessee, and it shall be the duty of the Treasurer to place said cash deposit in the treasury of the State, to the credit of the school fund; *And provided, further,* That any recovery had on any bond given by any contractor, shall inure to the benefit of the school fund of the State and counties, and when collected shall be placed in the treasury to the credit of the school fund, and be prorated among the several counties of the State.

Recoveries to  
go to school  
fund.

SEC. 4. The books furnished under any contract shall at all times, during the existence of the contract, be equal to, in all respects, the specimen or sample copies furnished with bids; and it shall be the duty of the Secretary of State to carefully preserve in his office, as the standards of quality and excellence to be maintained in such books during the continuance of such contract, the specimen or sample copies of all books which have been the basis of any contract, together with the original bid or proposal. It shall be the duty of all contractors to print plainly on the back of each book the contract price as well as the exchange price at which it is agreed to be furnished, but the books submitted as sample or specimen copies with the original bids shall not have the price printed on them before they are submitted to the subcommission. And the said Text-book Commission shall not, in any case, contract with any person, publisher, or publishers, for the use of any book or books which are to be or shall be sold to patrons for use in any public school in this State, at a price above or in excess of the price at which such book or books are furnished by said person, publisher, or publishers, under contract to any State, county, or school district in the United States, under like conditions prevailing in this State, and under this Act. And it shall be stipulated in each contract that the contractor has never furnished, and is not now furnishing under contract, any State, county, or school district in the United States, where like conditions prevail as are prevailing in this State, and under this Act, the same book or books as are embraced in said contract, at a price below or less than the price stipulated in

Books must  
come up to  
samples.

Prices must  
not exceed  
those charged  
elsewhere  
under like  
conditions.





Commission  
authorized  
to act if ex-  
cess price is  
charged.

the said contract. And the said commission is hereby authorized and directed, at any time they may find that for use in any public school in this State, at a price above any book or books have been sold at a lower price under contract to any State, county, or school district aforesaid, to sue upon the bond of said contractor, and recover the difference between the contract price and the lower price at which they find the book or books have been sold. And in case any contractor shall fail to execute specifically the terms and provisions of his contract, said commission is hereby authorized, empowered, and directed to bring suit upon the bond of such contractor for the recovery of any and all damages, the suit to be in the name of the State of Tennessee, and the recovery for the benefit of the public school fund. But nothing in this Act shall be construed so as to prevent said commission and any contractor agreeing thereto, from in any manner changing or altering any contract, provided four members of the commission shall agree to the change and think it advisable and for the best interests of the public schools of this State. In all other matters a majority of said commission shall control.

State not  
liable.

SEC. 5. It shall be always a part of the terms and conditions of every contract made in pursuance of this act that the State of Tennessee shall not be liable to any contractor, in any manner, for any sum whatever, but all such contractors shall receive their pay or consideration in compensation solely and exclusively derived from the proceeds of the sale of books, as provided for in this Act; *Provided, further,* That the commission shall stipulate in the contract for the supplying of any book or books as herein provided, that the contractor or contractors shall take up the school books now in use in this State, and receive the same in exchange for new books at a price not less than fifty per cent of the contract price. And each person or publisher making a bid for the supplying of any book or books hereunder shall state in such bid or proposal the exchange price at which such book or books will be furnished.

Books now in  
use may be  
exchanged.



SEC. 6. The text-book commission shall have and reserve the right to reject any and all bids or proposals if they shall be of opinion that any or all should, for any reason, be rejected. And in case they fail, from among the bids or proposals submitted, to select or adopt any book or books, upon any of the branches mentioned in Section 1 of this Act, they may readvertise for sealed bids or proposals under the same terms and conditions as before, and proceed in their investigation in all respects as they did in the first instance, and as required by the terms and provisions of this Act, or they may advertise for sealed bids or proposals from authors or publishers of text-books who have manuscripts of books not yet published, for prices at which they will publish and furnish in book form, such manuscripts, or for prices at which they will sell such manuscripts, together with the copyright of such books, for use in the public schools in Tennessee, proceeding in all respects in like manner as before; *And provided*, That before accepting or rejecting any manuscript, it shall be their duty to take the manuscript and to advertise for sealed bids or proposals for publishing the same in book form, in like manner as hereinbefore provided for, and under the same restrictions and conditions, and the contract may be let for the publication of all such books, or for any one or more separately; *And provided, further*, That the State itself shall not, under any circumstances, enter into any contract binding it to pay for the publication of any book or books, but in the contract with the owner of the manuscript it shall be provided that he shall pay the compensation to the publisher for the publication and putting in book form the manuscript, together with the costs and expense of copyrighting the same; and *provided, further*, That in all cases bids or proposals shall be accompanied with the cash deposit of from five hundred dollars to twenty-five hundred dollars, as the commission may direct, and as provided in Section 2 of this Act. And it is further expressly provided that any person, firm, or corporation now doing business, or proposing to do business, in the State of Tennessee, shall have the right to

Any bid may be rejected.

Bids may be readvertised for.

Manuscripts of books may be considered.

Publisher of manuscript must defray all expenses.

Cash deposit.

How bids shall  
be submitted.

bid for the contract to be awarded hereunder, in manner as follows: In response to the advertisement, when made as hereinbefore provided, said person, firms, or corporation may submit a written bid or bids to edit or have edited, publish and supply for use in the public schools in this State, any book or books provided for hereunder, provided that instead of filing with said bid or proposal a sample or specimen copy of each book proposed to be furnished, he may exhibit to the commission in manuscript or printed form the matter proposed to be incorporated in any book, together with such a description and illustration of the form and style thereof, as will be fully intelligible and satisfactory to the said commission, or they may submit a book or books, the equal of which, in every way, they propose to furnish, and they shall accompany their bid or proposal with the cash deposit hereinbefore provided for, and shall enter into contract and bond as hereinbefore provided, except that the bond may be, in this instance, increased to fifty thousand dollars; *Provided*, That all books and manuscripts offered shall be examined and reported upon by the subcommission provided for in Section 1 of this Act.

Governor to  
issue proclamation.

SEC. 7. As soon as said commission shall have entered into a contract or contracts for the furnishing or supplying of books for use in the public schools in this State, it shall be the duty of the Governor to issue his proclamation announcing such fact to the people of the State.

Depositories  
provided for.

SEC. 8. The party of parties with whom the contract shall be made shall establish and maintain in some one city in each of the three grand divisions of the State, a depository, to be designated by the commission, where a stock or supply of the books sufficient to meet all immediate demands shall be kept. There shall also be maintained in each county in the State, provided the commission shall deem it advisable, and so demand, not less than one nor more than four agencies, for the distribution of the books to the patrons, or the contractor shall be permitted to make arrangements with merchants or others for the handling and distribution of the books, "*but the*

*depositories shall appoint only agents or merchants who are citizens and residents of said counties, and said agents shall sell and exchange books only in the State of Tennessee*"; and parties living in a county where no agency has been established, or no arrangements made for distribution may order the same from one of the depositories, and it shall be the duty of the contractor to deliver any book or books so ordered, to the person ordering, to his postoffice address, freight, express, postage, or other charges prepaid, at the retail contract price, provided the price of the book in books so ordered shall be paid in advance. *But nothing in this act shall be so construed as to prohibit any merchant or dealer from buying and selling said books.* All books shall be sold to the consumer at the retail contract price, and in each book shall be printed the following: "The price fixed hereon is fixed by State contract, and any deviation therefrom shall be reported to your County Superintendent of Public Instruction, or the State Superintendent at Nashville." And it is expressly provided that should any party contracting to furnish books as provided for in this act, fail to furnish them, or otherwise breach his contract, in addition to the right of the State to sue on the bond hereinabove required, the Chairman of the County Court or County Judge may sue in the name of the State of Tennessee, in any court of his own, or any other county having jurisdiction, and recover on the bond given by the contractor the full value of the books so failed to be furnished, for the use and benefit of the school fund of the county; *Provided*, That the right of action given to the Chairman or County Judge shall be limited to breaches of the contract committed in this county; *And provided, further*, That in all cases service of process may be had and deemed sufficient on any agent of the contractor in the county, or if no agent is in the county, then service may be had on the agent in charge of any depository, and this service shall be and stand in the place of service on the defendant contractor.

Acts 1907.  
Chap. 67.

Books to be  
sold to con-  
sumer at re-  
tail contract  
price. See  
Acts 1901.

Recovery for  
violation as  
to price.

SEC. 9. Said commission may from time to time make any necessary regulations not contrary to provisions of



Commission  
to maintain  
its organiza-  
tion five  
years.

this act, to secure the prompt distribution of the books herein provided for, and the prompt and faithful execution of all contracts, and it is expressly now provided that said commission shall maintain its organization during the five years of the continuance of the contract, and after the expiration of the same to renew such of them as they deem advisable, or readvertise for new bids or proposals, as required by this act in the first instance, and enter into such other contracts as they may deem for the best interests of the patrons of the public schools of the State, provided any contract entered into or renewed shall be for the term of five years.

State Super-  
intendent to  
announce  
books selected  
to County  
Superintend-  
ents.

SEC. 10. As soon as practicable after the adoption provided for in this act, the State Superintendent shall issue a circular letter to each City and County Superintendent in the State, and to such others as he may desire to send it, which letter shall contain the list of books adopted, the prices, location of agencies, and method of distribution, and such other information as he may deem necessary.

Books adopted  
to be used  
exclusively.  
Supplementary  
books.

SEC. 11. As soon after the passage of this act as may be practicable, and the commission shall deem advisable, the books adopted as a uniform system of text-books, shall be introduced and used as text-books, to the exclusion of all others in all the public free schools in this State; *Provided*, That nothing herein shall be construed to prevent the use of supplementary books, but such supplementary books shall not be used to the exclusion of the books prescribed or adopted under the provisions of this act; *And provided, further*, That nothing in this act shall be construed to prohibit the use in public schools of any text-book upon any branch mentioned in Section 1 of this act, where the commission shall not select or adopt a book for that branch or subject; *And provided, further*, That nothing in this act shall prevent the teaching in any school [of] any branch higher or more advanced than is embraced in Section 1 of this act, nor the using of any book upon such higher branch of study, provided that such higher branches shall not be taught to the exclusion of branches mentioned and set out in Section 1 of this act.

As to higher  
branches.



SEC. 12. Nothing herein shall be construed to prevent or prohibit the patrons of the public schools throughout the State from procuring books in the usual way in case no contract shall be made, or the contractor fails or refuses to furnish the books provided for in this act, at the time required for their use in the respective schools.

Where no contract is made or contractor fails to furnish books.

SEC. 13. Any person or teacher violating the provisions of this act shall become guilty of a misdemeanor, and upon conviction, punished by a fine of not less than ten dollars, nor more than fifty dollars.

Violation of this Act a misdemeanor.

SEC. 14. Any teacher who shall use, or permit to be used, in his or her school, any text-book upon the branches embraced in this act, where the commission has adopted a book upon that branch, other than the one so adopted, shall be guilty of a misdemeanor, and, upon conviction, punished as provided for in Section 13 of this act.

Penalty of teacher for failure to use books adopted.

SEC. 15. Any dealer, clerk, or agent, who shall sell any book for a greater sum than the contract price, shall be guilty of a misdemeanor, and upon conviction shall be punished as provided for in Section 13 of this act.

Penalty of agent for violation of this law.

SEC. 16. The sum of one thousand dollars, or so much thereof as may be necessary, to be paid out of the public school fund, be, and is hereby, appropriated for the purpose of paying the cost and expense of carrying into effect the provisions of this act.

Appropriation for carrying Act into effect.

SEC. 17. Said text-book commission shall serve without compensation, and members of the subcommission of five shall be paid a per diem of four dollars per day during the time they are actually engaged, not to exceed *sixty* days, and in addition shall be repaid all money actually expended by them in the payment of necessary expenses, to be paid out of the public school fund, and they shall make out and swear to an itemized statement of such expenses.

Pay of members of sub-commission.

# County Board of Education.

---

## ACTS 1907. CHAPTER 236.

AN ACT to be entitled "An Act to improve the public school system of Tennessee by creating in each county a County Board of Education and District Advisory Boards, and prescribing their duties, and abolishing the office of District Directors."

County Board.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That in each county of the State of Tennessee, the office of District Directors shall be abolished, and that the schools shall be under the management and control of a County Board of Education and a District Board of Advisors, hereinafter to be provided for.

School districts  
to be created.

SEC. 2. *Be it further enacted*, That the County Court of each county in the State shall, at its session to be held the first Monday in July, 1907, divide the county into five school districts, each representing as nearly as practicable equal area of territory or the same number of inhabitants; *Provided*, that each of these school districts shall be composed of whole civil districts; and, *Provided, further*, that in counties having fewer than five civil districts, each civil district shall constitute a school district, and a member of the said Board of Education be elected from each of said districts, and the remaining member or members be elected from the county at large.

Members of  
County Board.

SEC. 3. *Be it further enacted*, That one member from each of said school districts and the other members aforesaid from the county at large shall constitute said County Board of Education; *Provided*, the County Superintendent shall be Secretary of the County Board of Education.

How elected,  
and qualified.

SEC. 4. *Be it further enacted*, That the County Court in the several counties of the State, at its July term, shall elect a member of the County Board of Education from each of the school districts above mentioned; or where

there be fewer than five districts, the necessary number, as above provided for, from the county at large, which County Board of Education shall qualify and organize within ten days after their election by electing one of their number Chairman; *Provided, further*, that the members of the County Board of Education thus elected shall serve until September 1, 1908, and that on the first Thursday of August, 1908, and biennially thereafter each member of the County Board of Education shall be elected by the qualified voters of the district, above provided for, and in counties with fewer than five districts the necessary number from the county at large; and the term of office of members thus elected shall begin on the first day of September next after said election, and their tenure of office shall be two years, or until their successors in office are duly elected and qualified.

SEC. 5. *Be it further enacted*, That any person shall be eligible to the office of member of the County Board of Education who is qualified by at least a primary education, such as the primary public school course to perform the duties required, and who is a resident of the district and a qualified voter therein. If he shall cease to be a resident thereof, his office shall be deemed vacant.

Who eligible.

SEC. 6. *Be it further enacted*, That whenever a vacancy occurs among the members of the County Board of Education, the County Superintendent of Public Instruction shall fill the same by appointment upon being notified of such vacancy.

Vacancies.

SEC. 7. *Be it further enacted*, That the duties of the Chairman of the County Board of Education shall be:

Duties of Chairman.

1. To preside over the meetings of the County Board of Education, and to perform all the functions of a presiding officer in a deliberative body; *Provided*, that in the absence of the Chairman at any meeting, the members of the County Board of Education present may select a temporary Chairman, who shall perform the duties of the Chairman for that meeting; and, *Provided, further*, that it shall require the presence of three voting members to constitute a quorum for the transaction of business.



Special meetings.

2. To call special meetings of the County Board of Education whenever in his judgment the interest of the public schools requires it, and to appoint all committees authorized by said County Board of Education, and to sign all warrants issued by said County Board of Education.

Duties of Secretary.

SEC. 8. *Be it further enacted*, That it shall be the duty of the Secretary of the County Board of Education:

Warrants.

1. To issue all warrants authorized by the County Board of Education upon the County Trustee for the expenditures of the public school fund, and to sign the same, together with the Chairman of the Board.

Quarterly written report.

2. To make a written report to the County Court quarterly of all expenditures of the public school fund by items, which accounts shall be audited by the County Judge and Auditing Committee of the County Court.

Keep records.

3. To keep in well-bound books, to be furnished by the county, a full and accurate record of each meeting of the County Board of Education, and accounts of all financial transactions, which books shall be kept in the office of the County Superintendent of Public Instruction.

County Superintendent ex-officio Secretary.

SEC. 9. *Be it further enacted*, That the County Superintendent as *ex officio* Secretary of the County Board of Education be required to give bond, to be approved by the Chairman of the County Court, to the amount of \$500 for the faithful discharge of his duties.

SEC. 10. *Be it further enacted*:

Duties of County Boards.

1. That it shall be the duty of the County Board of Education to hold a regular meeting on the first Saturday in July, October, January, and April of each year, and transact all public school business; *Provided*, the Chairman may call a special meeting whenever in his judgment the interest of the public schools requires it.

Select teachers.

2. To select teachers, fix their salaries, erect buildings, repair and furnish schoolhouses, fix all wages and incidental expenses, and control the expenditure of the public school fund, except as hereinafter provided for the Advisory Board.



3. To run all public schools in the county as nearly as practicable the same length of time. If the daily attendance of one or more schools shall fall below the minimum fixed by the County Board of Education, then such school, or schools, shall be suspended until an attendance can be assured of not less than one-fourth of the number of pupils within the territory of said school, or schools; *Provided*, the County Board of Education shall not fix the minimum in any case at less than ten pupils.

Term of  
schools.

4. To locate schools where deemed most convenient, having due regard for lessening the number in order to improve the efficiency of the county system of education. Pupils may be permitted by the County Board of Education to attend school in a district other than that in which they reside if more convenient, and they may be permitted to attend in another county than that of their residence if more convenient; *Provided*, it be by agreement of the County Board of Education of both counties.

Location of  
schools.

5. To receive monthly reports from the teachers of their respective districts and issue an order or certificate therefor on the Chairman of the County Board of Education for warrant for salary due.

Reports from  
teachers.

6. To visit the public schools of their respective districts as often as the County Board of Education may require, but not less than twice a year.

Visit schools.

7. To act on cases of appeal of pupils suspended by action of the Advisory Board.

Dismiss  
pupils.

8. To dismiss teachers for incompetency, improper or immoral conduct, and inattention to duty.

Dismiss  
teachers.

9. To take care of, manage, and control all school property; buy, transfer, or sell school property, and make and take proper conveyances and perform all duties now required of District Directors under Section 20 of Chapter 25 of Acts of 1873, and Chapter 44 of Acts of 1859-60, which may not be included in the foregoing subsection.

School  
property.

SEC. 11. *Be it further enacted*, That each member of the County Board of Education shall make a full and accurate report of the public schools of his district to the

District re-  
ports.

County Superintendent of Public Instruction not later than the first day of August of each year, said report to be made on the forms furnished, and to include the time from July 1 to June 30 following, next before the report is made.

Compensation  
of Boards.

SEC. 12. *Be it further enacted*, That each member of the County Board of Education shall receive not less than one dollar and fifty cents per day nor more than three dollars per day, as determined by the County Court, for not more than thirty days in a year, and to be paid for actual time spent for attendance upon meetings and in visiting the schools of the district as heretofore provided.

Local or  
"Advisory  
Boards."

SEC. 13. *Be it further enacted*, That there shall be a local board of three members from each civil district in the county, known as the "Advisory Board," which Advisory Board shall be elected by the qualified voters of the civil district biennially. The first election shall be held the first Thursday in August, 1908; *Provided, further*, that the District Directors now in office in said civil districts shall constitute the Advisory Board until their successors are elected and qualified under the provisions of this Act.

Duties of  
"Advisory  
Boards."

SEC. 14. *Be it further enacted*, That the duties of the said Advisory Board shall be as follows:

1. To visit the schools and inspect the school work in their respective districts, to see that the schoolhouse is in good repair and properly equipped for work, that the school grounds are improved and properly kept, and that the buildings are supplied with water, fuel, and other necessities.

General  
recommendations.

2. To make general recommendations to the County Board for the advancement of school interests in said districts, and to recommend to the County Board of Education desirable teachers for their schools.

Written report.

3. To make a written report once a year to the County Board, or oftener if required by the said County Board, in relation to the matters committed to said Advisory Board.

4. To have the Secretary enumerate the scholastic population of the civil district annually during the month of July, and report same to the Secretary of the County Board of Education, and the Secretary of said Advisory Board shall receive for this an amount not exceeding two cents per capita for pupils enumerated; *Provided*, that in enumerating the scholastic population, the full name of the child, the name of the parent, and the age of the child be recorded, and also the fact as to whether the child is able to read and write.

Scholastic  
census.

5. To suspend and dismiss pupils, subject to appeal to the County Board of Education.

Suspend  
pupils.

6. To issue an order upon the County Board of Education for expenditures for repairs and incidentals to an amount not exceeding ten dollars.

Issue orders.

SEC. 15. *Be it further enacted*, That in case of a vacancy in any District Advisory Board, it shall be the duty of the County Superintendent to fill said vacancy by appointment upon notification of same by the remaining member or members of said Advisory Board.

Vacancy in  
District  
Boards.

SEC. 16. *Be it further enacted*, That this Act shall not in any way affect systems of city schools now operating under special charters, or the law governing municipal schools, and where said systems recognize the three District Directors as members of City Board of Education, the said Advisory Board shall continue to serve in said capacity.

City schools  
exempt.

SEC. 17. *Be it further enacted*, That all provisions of laws now existing applying to School Directors, not in conflict with any provisions heretofore stated, shall apply to members of the County Board of Education and District Advisory Boards; *Provided*, the provisions of this Act shall not apply to counties of a population not less than 36,010 nor more than 36,050 by the Federal census of 1900 or any subsequent Federal census; and, *Provided, further*, that the provisions of this Act shall not apply to the following counties having the population as indi-



cated according to the Federal census of 1900 or any subsequent Federal census:

Obion County.	Counties between 28,285 and 28,287. .
Moore County.	Counties between 5,700 and 5,710.
Smith County.	Counties between 19,000 and 19,100.
Wilson County.	Counties between 26,500 and 27,500.

SEC. 18. *Be it further enacted*, That said District Advisory Board of Education shall qualify within ten days after their election and organize by selecting a Chairman and a Secretary.

SEC. 19. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be, and the same are hereby, repealed, and that this Act take effect on July 1, 1907, the public welfare requiring it.

## Acts 1907. Chapter 600

---

AN ACT to be entitled "An Act to empower and authorize Boards of Trustees of academies and small colleges which no longer are used for the purposes originally intended to transfer the properties of said academies and small colleges to counties and County Boards of Education or County High School Boards."

WHEREAS, Most of the academies established in the several counties of the State under the provisions of an Act of the General Assembly of the State of Tennessee, passed September 13, 1806, and entitled "An Act to establish academies in the several counties of this State and for the appointment of trustees thereof," and of various subsequent Acts of the General Assembly, and which for many years received aid from the proceeds of the sale of one hundred thousand acres of land granted to this State for academy purposes by Act of the Congress of the United States, approved April 18, 1806, and ratified by the General Assembly of the State of Tennessee September 6, 1806, and from other sources, have long since ceased to be used as county academies according to the intention of the original Act and various subsequent Acts providing for their establishment and maintenance, and are now used chiefly for local and individual purposes; and

Academics  
not used.

WHEREAS, Many other academies and small colleges established from time to time by various Acts of the Legislature or incorporated under the general laws of the State are no longer maintained for the purposes for which they were established—namely, the secondary education of the youth of the counties or section in which they are located; and

Not maintained for  
secondary  
education.

WHEREAS, The public high school now holds more nearly than any other institution the relation to the State and the general cause of education formerly held by the academy and the small college; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That in any county of this State in which provision has already been made or shall at any time in the future be made for the establishment and maintenance of one or more public county high schools, it shall be lawful for the Trustees of any academy or small college of the classes referred to in the preamble of this Act to transfer, and they are hereby authorized to transfer, to the county and the County Board of Education or County High School Board any property held by them as Trustees, whether of lands, houses, equipment, money, notes, mortgages, bonds, or any other kind, to be held by said county and County Board of Education or County High School Board for the use of the public county high school or schools of the county; and said county and board shall have full power to hold, use, and dispose of any such property so transferred to them in the same manner as other public high school property.

Trustees may  
transfer  
property to  
County  
Boards.

Trust cease  
and Board  
dissolved.

SEC. 2. *Be it further enacted*, That when the Trustees of any academy or college shall transfer to the county and County Board of Education or County High School Board as provided in this Act, the property held in trust by them, they shall render a full and accurate report of the transaction to the County Court at its next session; and on the acceptance of this report by the County Court, the trust on the part of said Trustees shall cease and the Board be dissolved.



## Acts 1909. Chapter 24.

---

AN ACT to exempt leasehold estates and improvements thereon from taxation in the hands of the lessee, holding under incorporated institutions of learning in this State, when the rents therefor are used purely for educational purposes by said institutions, where the fee in the same is exempt for taxation to said institution by charter granted by the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That leasehold estates and improvements thereon shall be exempt from taxation in the hands of the lessee, holding under incorporated institutions of learning in this State, when the rents therefor are used by said institutions purely for educational purposes, where the fee in the same is exempt from taxation to said institutions of learning by charter granted by the State of Tennessee.

SEC. 2. *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, and that this Act take effect from and after its passage, the public welfare requiring it.

## Acts 1909. Chapter 177.

AN ACT to promote the establishment, organization, and efficiency of free public libraries, school libraries, traveling libraries, and other libraries, and for that purpose to create a Free Library Commission and define its powers and duties.

Free Library  
Commission.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That as soon as practicable after the passage of this Act the Governor shall appoint three persons for terms respectively of two, four, and six years, who, with the State Librarian and State Superintendent of Public Instruction, shall constitute the Free Library Commission; and appointments shall be made by the Governor to fill unexpired terms.

Records to  
be kept.

SEC. 2. *Be it further enacted*, That the officers of such Commission shall be a Chairman, to be elected by the members thereof from among themselves for a term of one year, and a Secretary, not from their own number, to be appointed by such Commission, who shall serve at the will of the Commission under the regulations and for the compensation prescribed by the Commission. The Secretary shall keep a permanent record of the proceedings of the Commission, and also accurate account of its receipts, expenditures, and other financial transactions; shall have active charge of the work imposed on the Commission by Section 3 of this Act, and shall perform such other duties as are imposed on him by the Commission. If funds be available, the Secretary, in addition to his compensation, shall be allowed his actual and necessary traveling expenses when on official business, and the members of the Commission who do not reside in Nashville may be allowed their traveling expenses to and from Nashville to attend meetings of the Commission, and any member may be allowed his necessary traveling expenses incurred in establishing and visiting libraries in this State under the order of the Commission. Except the Secretary, no officer or member

of the Commission shall be allowed any compensation for services as such.

SEC. 3. *Be it further enacted*, That it shall be the duty of the Commission hereby created to encourage and promote the establishment throughout the State of free public libraries, school libraries, traveling libraries and other libraries, and aid in the organization and administration thereof, and in the administration of libraries already established in this State. For this purpose the Commission, when opportunity offers, shall give information and advice to all communities in the State that propose establishing such libraries as to the best methods of establishment, organization, and administration; and, in the case of any library already established, shall, whenever requested by the Librarian or Board of Directors or Trustees thereof, furnish like assistance, information, and advice to such library. The Commission is authorized to purchase and accept gifts of books, periodicals, and traveling libraries and circulate them in towns, villages, and farming and other communities where needed, it being the purpose of this provision to make practicable in small communities by temporary supplies thereof, such reading and study of good books and periodicals as is not practicable to persons who have not access to libraries.

Duties of  
Commission

SEC. 4. *Be it further enacted*, That the Commission hereby created shall hold its meetings in the office of the State Librarian, and its Secretary shall be allowed the use of that office for the performance of his duties. The Commission shall hold a regular annual meeting in January of each year. The Chairman may, and, upon the written request of two of the members, shall, call a meeting at any time after written notice thereof to all the members by the Secretary, mailed seven days in advance of the day of such meeting. Three members shall constitute a quorum for the transaction of business at its annual meeting, the Chairman shall be elected, and the Commission shall prepare and at once present to the Governor a full report of its operations since the last annual meeting.

Meetings.

Quorum.

SEC. 5. *Be it further enacted*, That this Act take effect upon and after its passage, the public welfare requiring it.



# Normal Schools.

## ACTS 1909. CHAPTER 580.

A BILL allowing municipalities or counties to issue and sell bonds for the purpose of purchasing sites and erecting and equipping buildings for State Normal schools, and to provide for the payment of the interest on the said bonds and for a sinking fund with which to retire the same, and to provide a method of loaning said sinking fund, and to provide for the disposition of the funds arising from the said sale of said bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That any municipality, through its Board of Mayor and Aldermen, is hereby authorized to issue one hundred thousand dollars (\$100,000) of five per cent or less interest-bearing bonds, or such part thereof as said municipality may desire to issue for the purpose of purchasing sites, erecting and equipping buildings for State Normal Schools; and that any county in the State of Tennessee is hereby authorized, through its County Court at quarterly session, to issue one hundred thousand dollars (\$100,000) five per cent or less interest-bearing bonds, or such part thereof as said county may desire to issue for the purpose of purchasing sites, erecting and equipping buildings for State Normal Schools.

SEC. 2. *Be it further enacted*, That the bonds hereby authorized, whether issued by municipality or county, shall bear five per cent or less rate of interest, payable semi-annually, which shall be represented by coupons attached to said bonds, and said bonds shall mature and become payable in not more than twenty-five years from the date of their issuance.

SEC. 3. *Be it further enacted*, That the city, through its Board of Mayor and Aldermen, and the county, through its County Court at quarterly session, shall have the right and power to fix the date upon which said bonds shall be issued, the number of said bonds, the place of payment of

both interest and principal, the time the semi-annual interest coupons shall fall due, the numbering of the coupons and the denominations of said bonds, the method and expense of the sale of said bonds, *provided* said sale of said bonds shall not be below par; and that upon the issuance of said bonds they shall be a binding obligation and debt on said municipality or county, and that said Board of Mayor and Aldermen or said Quarterly County Court shall levy annually a tax on all the taxable property of said municipality or county for the purpose of paying the interest on said bonds as it becomes due and to create a sinking fund with which to retire and pay off said bonds when they mature; and in counties or municipalities having no Sinking Fund Commission, the Mayor of said municipality, with the approval of the Recorder, or the Judge or Chairman of the Quarterly County Court, with the approval of the County Court Clerk, shall loan out said sinking fund upon first-mortgage real estate security for not less than four per cent per annum, payable semi-annually, and in amounts not exceeding fifty per cent of the cash value of the real estate security, the interest to be added semi-annually to said sinking fund; *Provided*, that said Mayor, on the approval of said Recorder, or the County Judge or Chairman, with the approval of the County Court Clerk, may purchase bonds at not more than par value; *Provided, further*, that said issue of said bonds shall be for no other purpose than herein expressed, and the proceeds from said sale of said bonds shall be turned over to the State Comptroller and placed to the credit of the State Normal Schools of the county or municipality issuing said bonds, to be used for the purpose of purchasing sites, erecting and equipping buildings for said State Normal School of said county or municipality.

SEC. 4. *Be it further enacted*, That said bonds and interest coupons, if issued by a municipality, shall bear the signature of the Mayor, attested by the signature of the Recorder of said city, or a facsimile of their signatures; and the said bonds and interest coupons shall bear the signature, if issued by a county, of the County Judge or

Chairman of the County Court, and shall be countersigned by the Clerk of said court, and shall have on them the official seal of said Clerk.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.



# General Education Bill.

---

ACTS 1909. CHAPTER 264.

AN ACT to provide for the improvement of the system of Public Education of the State of Tennessee—that is to say, to establish a General Education Fund by appropriating thereto annually twenty-five per cent of the gross revenue of the State; to provide for the apportionment of this fund and specifying what part shall be apportioned to the several counties of the State on the basis of scholastic population; what part shall be used to equalize more nearly the school facilities of the several counties, and the conditions on which this part shall be apportioned; what sum shall be used to assist in paying salaries of County Superintendents, and on what conditions; what part shall be used to encourage and assist in the establishment and maintenance of public county high schools, and on what conditions; and providing for the grading and inspection of high schools; what part shall be used for the establishment and maintenance of school libraries and on what conditions; what part shall be used for the establishment and maintenance of three Normal schools for white teachers, one in each Grand Division of the State, and one Agricultural and Industrial Normal School for negroes, and providing for the location, establishment, and control of said schools; and what part shall be apportioned to the University of Tennessee and its various stations; and to repeal Chapter 537 of the Acts of 1907.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That for the purpose of improving, unifying, and extending the systems of Public Education of the State of Tennessee, for the purpose of giving more adequate support to public schools of all grades, and for the purpose of extending the benefits of the school system more equally to all the sections, counties, and districts of the State, a General Education Fund shall be, and the same is hereby, created, and for the year one thousand nine hundred and nine and annually thereafter *thirty-three and one-third* per cent of the gross revenue of the State shall

General Education Bill.

General Education Fund created. Increased by Acts 1913, Chap. 23.

be paid into this General Education Fund, to be apportioned as hereinafter provided; and the Comptroller of the Treasury shall pass, and he is hereby directed to pass, on the first day of January and the first day of July of each and every year, to the credit of said General Education Fund, the amount due thereto according to the provisions of this Act, and to distribute the same as hereinafter provided.

Per capita  
apportion-  
ment.

SEC. 2. *Be it further enacted*, That sixty-one per cent of the General Education Fund provided by this Act shall be apportioned to the several counties of the State according to scholastic population, as the interest on the permanent school fund is apportioned and for the same purposes.

Special fund  
to equalize  
schools in  
certain  
counties.

Special Fund,  
Acts 1913,  
Chap. 23.

SEC. 3. *Be it further enacted*, That ten per cent of the General Education Fund provided by this Act shall be and the same is hereby set aside as a special fund to be used and expended for the purpose of more nearly equalizing the common schools in the several counties of the State; also for the purpose of encouraging the introduction of industrial work, including agriculture, home economics, manual training and kindred subjects in county elementary schools and providing for the adequate supervision of the same; also for encouraging the establishment of consolidated schools where practicable with provisions for transportation facilities where necessary; the same to be distributed among the various counties by the State Board of Education in accordance with provisions herein set forth.

Conditions on  
which counties  
share.

Provided, That before any county shall be eligible to receive any portion of this 10 per cent of the General Education Fund provided by this Act, it shall levy for public schools, including the school tax levied by the State, and excluding taxes for public high schools, a tax of not less than 40 cents on the \$100.00 of taxable property, a tax of \$2.00 on each taxable poll, and all the privilege taxes which the laws of the State permit counties to levy for school purposes.

State aid for  
supervisors.

*Provided further*, That in any county where a supervising teacher or a supervisor of any number of elementary schools, or a supervisor of industrial work in county elementary schools

is elected by the County Board of Education and funds are provided in said county to pay said supervisor, the State Board of Education shall be authorized to supplement the same by an amount not exceeding what is paid by the County Board of Education; provided, that said supervisors shall be approved by the State Superintendent of Public Instruction; and provided, further, that two such payments by the State to one county shall not be allowed until one payment is made in every county complying with the requirements and making application within any one year; the time for applying for State help to be fixed by the State Board of Education.

Provided, further, That when any County Board of Education shall establish a consolidated school with as many as three or more teachers and provision is made for transporting the pupils dependent upon such school for educational facilities who reside further than two and one-half miles therefrom, the State Board of Education may assist said school by appropriating to its maintenance a reasonable amount out of the funds provided by this Section of this Act; provided, the building and equipment of said school shall measure up to the standard set by State Board of Education; and provided, further, that not more than one school in any county shall be thus aided in any one year until at least one school in every county making application in that year shall have been aided; and provided that the time for making such application for State aid shall be fixed by the State Board of Education.

State aid for consolidation and transportation.

Provided, further, That any portion of the ten per cent of the General Education Fund provided by this Act and this Section of this Act not otherwise disposed of in any year shall be used to equalize the Common Schools in the various counties, and shall be distributed by the State Board of Education among the counties according to their educational needs, as determined by reliable data filed in the office of the State Superintendent of Public Instruction.

Equalizing fund.

SEC. 4. Be it further enacted, That for the year one thousand nine hundred and eleven and annually thereafter, before appropriating the ten per cent of the General Education Fund provided in Section 3 of this Act, the sum of thirty-three thousand six hundred dollars (\$33,600) of the

Appropriation to supplement salaries of County Superintendents.



ten per cent mentioned in Section 3 of this Act, or so much thereof as may be required by the provisions of this section, shall be set aside to assist the several counties of the State to pay more adequate salaries to the County Superintendents, and that there may be more competent supervision of the public schools. Each county in the State shall receive from this fund, to be paid on the salary of the County Superintendent, an amount equal to that which is paid by the county; *provided*, that no county shall receive from this fund for this purpose more than \$350 in any one year; *provided, further*, that any County Superintendent receiving the maximum amount (\$350) from this fund as herein provided shall devote all his time to the duties of the office for a period not less than nine months in the year, and he may be required to devote thereto all his time for the entire year.

How obtained.

Reports required of County Superintendents.

*Provided, further*, that not more than half the amount apportioned to any county under the provisions of this section of this Act shall be paid to said county until all reports required of the County Superintendent and other county school officers have been made accurately and satisfactorily, and until all other duties required of the County Superintendent by law have been faithfully performed.

State Superintendent to certify to Comptroller.

All funds apportioned to any county under the provisions of this section of this Act shall be paid by the Comptroller on the certificate of the State Superintendent of Public Instruction and as other school funds are paid.

High-school fund.

SEC. 5. *Be it further enacted*, That eight per cent of the General Education Fund provided by this Act shall be used as a high school fund, to encourage and assist the counties of the State to establish and maintain public county high schools as hereinafter provided.

State Board of Education to grade high schools.

It shall be the duty of the State Board of Education to grade all high schools now established and maintained or that in the future may be established and maintained under the provisions of the county high-school law; to prescribe their minimum courses of study, requiring the elements of agriculture and home economics to be taught in all schools; and to classify them as high schools of the first, second, and third class.

Under such regulations as may be prescribed by the State Board of Education, all qualified public county high schools may receive assistance from the fund provided by this Act and this section of this Act in proportion to the amount of money received by the several schools from other sources and expended annually for the payment of teachers' salaries and incidentals, not including permanent improvements of grounds or buildings; *provided*, that no county may receive in any one year more than one-fiftieth part of the total fund provided by this section of this Act for that year, and that no one school shall receive from this fund more than one-third the amount received from other sources and expended in that year for its maintenance, not including any amount expended for permanent improvements.

To adopt regulations for disbursement of high-school fund.

All applications for assistance under the provisions of this section of this Act shall be made in such a way as may be prescribed by the State Board of Education, and all payments shall be made on the certificate of the President and Secretary of said Board.

All teachers in the public county high schools receiving aid from this high-school fund under the provisions of this section of this Act shall be examined and licensed under regulations prescribed by the State Board of Education, and said Board is hereby empowered and instructed to make rules and regulations for the examination and licensing of such teachers. The State Board of Education shall have the power, and the same is hereby authorized, to employ an Inspector of High Schools at such annual salary as it may determine, his salary and traveling expenses, when engaged in the work of high-school inspection or the performance of other related duties assigned him by the State Board of Education, to be paid out of the high-school fund herein provided. Said High School Inspector shall have his office in the office of the State Superintendent of Public Instruction, and shall give his time to the inspection of high schools in the State and such other related duties as may be assigned him by the State Board of Education, and shall make reports of his work and of the condi-

High-school teachers to be examined and licensed.

Inspector of high schools.

tions of the high schools of the State as required and directed by said Board.

Surplus to  
revert to per  
capita appor-  
tionment fund.

State aid for  
Industrial  
Work in  
County High  
Schools,

Any portion of the high-school fund of any year provided by this Act and this section of this Act that cannot be apportioned to the public high schools of the State without exceeding the ratio to income of such schools as provided in this section of this Act *shall be used under the direction of the State Board of Education for the purpose of stimulating and encouraging the establishment and maintenance of departments of industrial work, including agriculture, home economics, manual training and kindred subjects, and also for the purpose of equalizing the high schools of the various counties; provided, that if any county levying a tax for high school purposes at the highest rate permitted by law for that purpose, the proceeds of said levy do not amount to as much as Two Thousand (\$2,000.00) Dollars in any year, the State Board of Education shall apportion to the high school fund of said county out of the State high school fund provided in Section 5, Chapter 264, Acts of 1909, the amount necessary to make a high school fund of Two Thousand (\$2,000.00) Dollars for said county for said year.*

Acts 1913.  
Chap. 23.

SEC. 6. *Be it further enacted, That one per cent of the General Education Fund provided by this Act shall be used to encourage and assist in the establishment and maintenance of libraries in the public schools as herein provided.*

*Whenever the patrons and friends of any public school in any county in the State shall raise, by private subscription or otherwise, and tender to the County Trustee, through the County Superintendent of Public Instruction, the sum of Ten Dollars or more for the establishment and maintenance of a library for that school, or for supplementing, a library already established, said County Superintendent shall notify the State Superintendent of Public Instruction, and upon the certificate of the State Superintendent of Public Instruction the Comptroller of the Treasury shall pay to the Trustee of said County out of the fund herein provided a sum equal to that raised by private subscription or otherwise to be added to the library fund of said school.*



*Provided, that the State will appropriate not more than Forty Dollars for this purpose to any one school during a single year.*

*Provided, further, that the State Board of Education shall have the power, and the same is hereby authorized, to employ a Director of Library Extension at a salary of not exceeding fifteen hundred dollars a year with necessary traveling expenses as fixed by the State Board of Education, all to be paid out of the library fund as herein provided.*

*The said Director of Library Extension shall have an office in the office of the State Superintendent of Public Instruction and shall work under his general supervision. It shall be the duty of the Director of Library Extension to encourage and stimulate the establishment of libraries, especially in public schools; to prepare selected lists of books adapted to the needs of various schools from the list approved by the State Board of Education; to render such assistance as the State Board of Education may require in the preparation of general school library lists; to visit teachers' institutes and other educational and community meetings in the interest of library extension and for the purpose of giving instruction in the selection, care and use of libraries; to assist the State Superintendent of Public Instruction in preparing Reading Circle Courses for public school teachers and pupils, and to perform such additional duties as the State Board of Education may prescribe.*

Director of  
Library extension.

*Provided, further, that in distributing the funds under the provisions of this section of this Act preference shall be given to applications coming from counties which have not previously received their proportionate part of this fund according to scholastic population.*

*And, provided, further, that preference shall be given to applications for assistance to establish new libraries rather than applications to assist in supplementing libraries already established.*

*It shall be the duty of the State Board of Education to make and cause to be published through the office of the State Superintendent of Public Instruction rules and regulations for libraries established under the provisions of this*

State Board to  
issue approved list of  
books.

section of this Act, issue approved lists of books from which purchases for said libraries may be made with money received from the State as herein provided, and arrange for the purchase of such books at the lowest possible prices. All libraries receiving assistance from this fund shall comply with all the regulations made by the State Board of Education, as herein provided. All money received from the State to assist in establishing or supplementing a library under the provisions of this section shall be used to purchase books on the approved lists aforesaid, and no books shall be purchased at a higher price than the price in said approved lists. All purchases of books shall be reported to the County Superintendent, and a list of the same shall be attached to the warrant issued in payment of the same; and no commission shall be allowed the County Trustee on library funds.

Circulating  
libraries.

*One-fifth of the amount accruing annually for libraries under the provisions of this Act shall be used for the purchase and maintenance of circulating libraries under the direction of the State Library.*

State Normal  
Schools.

SEC. 7. *Be it further enacted*, That thirteen per cent of the General Education Fund provided by this Act may be used for the establishment and maintenance of Normal schools solely for the education and professional training of teachers for the elementary schools of the State, as herein provided. One Normal school for the education and professional training of white teachers shall be established and maintained in each Grand Division of the State, and shall be open and free alike to white males and females resident in the State of Tennessee; and one Agricultural and Industrial Normal School for the industrial education of negroes and for preparing negro teachers for common schools shall be established and maintained, and shall be open and free alike to negro males and females resident in the State of Tennessee; but no person shall be admitted to either of these schools who is under sixteen years of age and who has not finished at least the elementary school course prescribed for the public schools of the State; nor shall any person be admitted to either of the Normal schools for

white teachers who does not first sign a pledge to teach in the public or private schools of the State of Tennessee, within the next six years after leaving the school, at least as long as he or she has attended said school.

Each school established and maintained under the provisions of this section of this Act shall have connected with it one or more practice and observation schools, in which shall be taught at least all the subjects prescribed for the primary schools of the State; and the County Boards of Education of any county, or the District Directors of any school district, or the Board of Education of any incorporated city or town having a special school system under the provisions of its charter may, and the same is hereby empowered to, contract with the State Board of Education to provide for the teaching of children of public school age in such practice and observation schools, and to pay to the said Normal school all or any portion of the public school fund belonging to such county, district, or incorporated city or town, as agreed upon by the school authorities of said county, school district, or incorporated city or town, and the State Board of Education, as in the case of consolidated schools under the provisions of the State school law.

The principals and instructors in the Normal schools for the education and training of white teachers may be required to assist in conducting Teachers' Institutes in any of the counties of the Grand Division of the State in which said school is located.

*Provided*, that no principal or instructor may be thus required to assist in institutes more than six weeks in any one year.

*Provided, further*, that no more than two members of the faculty of any Normal school may be required to be absent from the school for this purpose at the same time.

And, *provided, further*, that all such service shall be performed without additional pay, except that necessary traveling expenses and hotel bills while engaged in this service shall be paid out of the funds of the Normal school.



State Normal School graduates licensed to teach.

A certificate of graduation from any one of the said Normal schools shall entitle the holder thereof to teach in any of the public schools of the State without further examination for a period of four years from the date of such certificate. Any such graduate who completes within the said period of four years such additional courses of reading and study as may be prescribed by the State Board of Education and shall pass the required examinations in the same and has proven his ability as a teacher by teaching acceptably not less than fifteen months within this period may, upon application, be granted a permanent license to teach in any of the public elementary schools of the State.

Course of study.

The course of study and the rules and regulations shall be the same for all the said Normal schools, with such minor modifications for any school as may be required by local conditions; *provided*, that such courses of study shall include instruction in ordinary English branches, in vocal music, drawing, domestic science, manual training, elements of chemistry, physics, and biology; the elementary principles of agriculture, horticulture, and home economics; and in the history, principles, and methods of education; and, *provided, further*, that the courses of study for the Agricultural and Industrial Normal School for negroes shall be of such practical nature as to fit the conditions and needs of their race.

Management.

The general management and control of all Normal schools established and maintained under the provisions of this section of this Act shall be vested in the State Board of Education; and the said State Board of Education shall have power to employ a bookkeeper, whose duty it shall be to keep the accounts of the Normal school funds as directed by the Board, and the salary shall be fixed by the Board and paid out of the Normal school fund herein provided before its apportionment to the several schools and on the warrant of the Comptroller.

Location.

All schools established under the provisions of this section of this Act shall be located by the State Board of Education; and in making such locations, said Board shall take into consideration accessibility, centralness of position,

healthfulness of location, cheapness of living, opportunities for arranging for suitable practice and observation schools, and the value and usefulness of offers of donations of grounds, buildings, money, etc.

In addition to any accepted donations of land, money, or buildings, the income from the fund provided by this Act and this section of this Act for the years one thousand nine hundred and nine and one thousand nine hundred and ten or any portion of the same may be used for buildings and equipment. *Provided, that said State Board of Education shall have the power and authority to purchase additional land and erect additional buildings for the said three normal schools for white teachers, and the said agricultural and industrial normal school for negroes, on such terms as may be considered advisable and advantageous by said State Board of Education, and to pay for the same out of moneys appropriated or may hereafter be appropriated for said schools; and provided, further, that said State Board of Education may be vested with title to said property so purchased in as full a manner as property and buildings already acquired or donated to said State Board of Education and for the same purposes.*

One-seventh of all the funds derived in any year from the provisions of this Act and this section of this Act shall be apportioned to the Agricultural and Industrial Normal School established for the education and training of negroes, and the remaining six-sevenths shall be apportioned equally among the schools established and maintained for the education and training of white teachers in the three Grand Divisions of the State; but all moneys received by any one of the Normal schools established and maintained under the provisions of this Act from any other source than from the fund herein provided to be paid out of the gross revenue of the State shall, under the direction of the State Board of Education, be accounted for and paid into the treasury of the State, to be placed to the credit of said school.

School for  
negroes.

It shall be the duty of the Governor of the State to call a meeting of the State Board of Education within sixty

days after the passage of this Act for the purpose of taking such steps as may be necessary to carry out the provisions of this Act, looking to the location and establishment of these schools, and to the opening of the same at the earliest date practicable.

Disburse-  
ment of  
funds.

All disbursements of money under the provisions of this section of this Act shall be made on the certificate of the President and Secretary of the State Board of Education, by the Comptroller of the Treasury, in the manner prescribed by law for the disbursement of money to charitable institutions.

University of  
Tennessee—  
appropriation.

SEC. 8. *Be it further enacted*, That for the year one thousand nine hundred and nine and annually thereafter seven per cent of the General Education Fund provided by this Act shall be, and the same is hereby, appropriated to the University of Tennessee, to be used for the maintenance and improvement of the same, as the head of the public-school system of the State, as the General Assembly of the State may from time to time direct by resolution or enactment, or as the Board of Trustees of said University may elect.

Experiment  
Stations.

*Provided*, that ten per cent, but not less than ten thousand dollars (\$10,000) annually, of the amount herein apportioned to the University of Tennessee shall be used for the maintenance of the Agricultural and Horticultural Experiment Station and Model Farm, located in West Tennessee, and five per cent, but not less than five thousand (\$5,000) dollars annually, for the maintenance of co-operative agricultural experiments in Middle Tennessee.

Traveling ex-  
penses of  
students.

*Provided, further*, that an amount not exceeding five per cent of the sum apportioned annually to the University may be used to pay the traveling expenses of young men and women of Tennessee attending the University, under such rules and regulations as the Board of Trustees of said University may adopt, but the traveling expenses of no student shall be paid who does not remain through the entire school year, nor shall the expenses of any student be paid more than once each way in any year.



*Provided, further,* that tuition in the academic, engineering, agricultural, and educational departments of the University shall be free to all qualified white students who are citizens of the State of Tennessee, or whose parents or guardians are citizens of the State of Tennessee; but nothing in this section of this Act shall be construed in such way as to affect or modify the existing laws in regard to State scholarship students of African descent in the Industrial Department of said University.

Scholarships.

SEC. 9. *Be it further enacted,* That all schools receiving assistance under the provisions of this Act shall be recognized as essential parts of the system of Public Education of the State of Tennessee, and annually, on or before the first day of August, the proper authorities of each shall submit to the State Superintendent of Public Instruction a report in regard to the work, development, and progress of the school during the year ending with the thirtieth day of June next preceding, and a clear and itemized statement of all receipts and expenditures for the same period.

Reports to  
be made to  
State Super-  
intendents.

SEC. 10. *Be it further enacted,* That Chapter 537 of the Acts of 1907 and all laws and all parts of laws in conflict with this Act shall be, and the same are hereby, repealed.

SEC. 11. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

# School Bonds.

---

## ACTS 1911. CHAPTER 60.

AN ACT to authorize the Quarterly County Courts of the several counties of the State, except in counties of 190,000 population or over, according to the Federal census of 1910 or any subsequent Federal census, to issue and sell coupon bonds to purchase school property, school sites; to erect, furnish, equip, and repair school buildings; and to fix the denominations of said bonds, and to provide for the payment of the interest on the same, and for a sinking fund with which to retire the same, and to provide a method for loaning said sinking fund; and to further provide for the distribution of the money raised by the sale of said bonds between the counties and cities.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the various counties of the State, except in counties of 190,000 population or over, according to the Federal census of 1910 or any subsequent Federal census, through their respective Quarterly County Courts, be, and they are, hereby authorized and empowered to issue and sell bonds for the purposes and in the manner hereinafter provided.

Interest.

SEC. 2. *Be it further enacted*, That the bonds shall be known as "School bonds," and shall bear interest at the rate of not exceeding 5 per cent per annum, payable semi-annually, and said bonds to be due and payable in not more than twenty-five years from the date of their issuance, and to be sold for not less than par.

SEC. 3. *Be it further enacted*, That each of said bonds shall be signed by the Judge or Chairman of the County Court and countersigned by the County Court Clerk with the official seal of the latter attached thereto, and said bonds shall each have attached to them coupons for the

semi-annual interest upon the same for each of the years they have to run, showing on their face the number and amount of bonds to which they are attached, the amount of each semi-annual installment of interest on said bond, and when the same shall be due, which coupons shall be signed in the same manner as said bonds, except that the seal of the County Court Clerk need not be affixed thereto, and the signature of the County Judge or Chairman and the Clerk of said County Court may be lithographed on said coupon.

SEC. 4. *Be it further enacted*, That said bonds may be issued in denominations of not less than one hundred (\$100) dollars nor more than one hundred thousand (\$100,000) dollars. The bonds of each denomination shall be numbered consecutively, beginning at one, and shall recite on their face that they are issued in pursuance of this Act, and this Act may be printed on the back of said bonds, and said bonds shall be payable in the lawful currency of the United States at such time not to exceed twenty-five years from the date of their issuance, and at such place and for such amounts as the purchasers and representatives of the Quarterly County Court, as herein designated, shall determine.

Bond denominations.

SEC. 5. *Be it further enacted*, That said bonds shall be sold for cash by the Chairman or Judge of said County Court; *Provided*, that the sale shall be advertised for a period of not less than thirty days next preceding the date of said sale, and that no bond shall be sold for less than par value; *Provided, however*, that the said Quarterly County Courts are authorized to pay the necessary expenses in the issuance and sale of said bonds.

Sold for cash.

SEC. 6. *Be it further enacted*, That the money arising from said sale of school bonds shall be turned over to the Trustee of said county, and shall be kept separate and apart from all the other funds, and shall be paid out only for the purposes and in the manner hereinafter provided and said Trustee shall be allowed no commission for receiving or disbursing said funds.

Funds kept separate.



SEC. 7. *Be it further enacted*, That the counties having a city or cities operating schools independent of said county, the Trustee of said county shall pay over to the Treasurer of said city that amount of said funds which shall bear the same ratio to the entire amount arising from the provisions of this Act as the scholastic population of said city or cities bears to the entire scholastic population of said county; *Provided, however*, that the said funds paid over to the said City Treasurer shall be kept separate from all other funds in the manner and for the purposes herein provided for said county funds to be used.

Annual sinking fund tax.

SECTION 8. *Be it further enacted*, That upon the issuance of said bonds they shall be a binding obligation and debt upon the said county, and that the Quarterly County Court of said county shall levy annually a tax on all the taxable property of said county for the purpose of paying interest on said bonds as it becomes due and to create a sinking fund with which to retire and pay off said bonds when they mature, and in counties having no sinking fund commission the County Judge or Chairman of the County Court shall loan out said school bond sinking fund upon first mortgage real estate security, approved by the County Court Clerk and County Superintendent of Schools.

SEC. 9. *Be it further enacted*, That said County Judge or Chairman may purchase bonds at not more than par value on approval of said County Court Clerk and County Superintendent; *Provided, further*, that said school bond sinking fund shall not be loaned for a less rate of interest than the rate of interest on the bonds themselves, and in amounts not exceeding 50 per cent of the value of the real estate security, the interest to be added semi-annually to said sinking fund.

Special school fund.

SEC. 10. *Be it further enacted*, That the proceeds of said sale of said bonds shall constitute a special fund to be known as "Special School Fund," which shall be kept by the Trustee of said county and the Treasurer of said city schools separate and apart from all other funds and shall be applied exclusively to purchase property for school purposes, to purchase sites for school buildings, to erect

or repair school buildings and to furnish and equip school buildings, and to be used for no other purposes by the County Board of Education of said county or by the City Board of Education, which said City Board shall have a right to draw warrants on said funds for said purposes only.

SEC. 11. *Be it further enacted*, That said bonds may be issued by the Quarterly County Court of any county in this State by resolution by a majority of said members of said Quarterly County Court at any regular meeting thereof; *Provided, however*, that said county shall not issue an amount of bonds to exceed 3 per cent of the value of the taxable property for said county.

SEC. 12. *Be it further enacted*, That the County Judge or Chairman of said county shall give within sixty days immediately preceding maturity of said bonds or any of them notice to the holders thereof through some newspaper published in the county seat of said county for a period of thirty days, stating in said notice the numbers of said bonds and when they shall become due, requesting that they shall be presented for payment or redemption on said date at the place designaed in said bonds; and if said bonds are not presented for payment or redemption at the time and place so designated, then the interest thereon shall cease.

Bond redemption.

SEC. 13. *Be it further enacted*, That said bonds shall not be issued for any other purpose than herein expressed, and that said bonds shall be exempt from taxation for State, county, and municipal purposes in Tennessee.

SEC. 14. *Be it further enacted*, That all laws or parts of laws in conflict with this Act be, and the same are, hereby repealed, and that this Act shall take effect from and after its passage, the public welfare requiring it.

# Supervision, Consolidation and Transportation.

## ACTS 1913. CHAPTER 4.

AN ACT to be entitled An Act to improve the public school system of the State by authorizing Boards of Education to consolidate schools, provide for the public transportation of pupils, and to employ Supervisors.

Consolidation  
of Schools  
authorized.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That whenever it shall appear to the County Board of Education or the County High School Board of Education in any county of the State that the efficiency of the public schools would be improved thereby, said Boards of Education shall have full power and are hereby granted authority to consolidate two or more schools.

Transportation  
of pupils  
authorized.

SEC. 2. *Be it further enacted*, That whenever by reason of such consolidation a sufficient number of children is situated too far away from such schools to attend without transportation, said Boards of Education are hereby authorized and empowered to make provision for the transportation of said pupils that reside too far away from said school to attend without transportation, and to pay for same out of the respective public school funds of the county in which such children reside.

Supervisors  
authorized.

Boards to  
employ.

SEC. 3. *Be it further enacted*, That said Boards of Education are hereby given authority to employ Supervisors of Schools, whose duties shall be to assist County Superintendents of Public Instruction in organization, gradation and supervision of the public schools of the county and the organization of industrial work; and to pay for same out of the respective school funds of the county. *Provided*, That such supervisors of schools shall be persons of known ability to supervise the work of other teachers and shall have the equivalent of a high school education.



Qualifications  
of Supervisors.

*Provided, further,* That Supervisors of Elementary Schools shall hold an elementary certificate of the First Grade, and Supervisors of High Schools shall hold a High School Certificate of the First Grade.

SEC. 4. *Be it further enacted,* That all laws or parts of laws in conflict with this Act be, and the same are, hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

# Compulsory Attendance Law.

## ACTS 1913. CHAPTER 9.

AN ACT to regulate and require the attendance of school children upon schools in the State of Tennessee, and to provide means for the enforcement of this Act.

Attendance  
required in  
counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That every parent, guardian or other person, in the State of Tennessee, having charge or control of any child between the ages of eight and fourteen years, inclusive, shall cause such child to be enrolled in and attend some day school, public, private or parochial, for eighty consecutive days, or when the school term is less than eighty days in length for the full term, in each year in the county or city in which said child may reside.

Cities.

*Provided*, That in cities maintaining a separate school system which have a scholastic population of five thousand or over by the State school census of 1912, or any subsequent State school census, any parent, guardian or other person, having charge or control of any child between the ages of eight and fourteen, inclusive, shall cause such child to attend school for the full school term.

*Provided, further*, That any parent, guardian or other person, having charge or control of any child between the ages of fourteen and sixteen years who is not actively and regularly and lawfully engaged in some useful employment or service, or who is unable to read and write, shall cause such child to attend school as herein provided for children between the ages of eight and fourteen years.

Exemptions.

SEC. 2. *Be it further enacted*, That any child between the ages aforesaid may be excused temporarily from complying with the provisions of this Act, in whole or in part, if it be shown to a court of competent jurisdiction or a County or City Board of Education having control of the school to

which said child belongs, that said parent or guardian or person having charge or control of said child is not able, through extreme destitution, to provide proper clothing for said child; or that said child is mentally or physically incapacitated to attend school for the whole period required or any part thereof; or that the school to which the said child belongs is more than two miles by the nearest traveled road from the residence of the child, and public transportation to and from school is not provided; or that said child has completed an elementary school course, including eight grades, and has certificate to that effect from the principal of the school attended. If any child is unable to attend school as hereinbefore required by not being able to procure books, on satisfactory proof of the same, the County or City Board of Education having charge of the school to which said child belongs, shall purchase said books out of the general school fund of the city or county and lend to said child under regulations prescribed by the State Board of Education.

Provisions for  
indigent  
children

If it is ascertained by any City or County Board of Education that any child, who is required under the provision of this Act to attend a school under the control of the said County or City Board of Education, is unable to do so on account of lack of clothing or food, such case shall be reported to any suitable relief agency of said county or city, or if there be no such suitable relief agency to whom the case can be referred, it shall be reported to the proper Commissioners of the Poor or other officials having charge of such work, for investigation and relief.

Penalty for  
evasion.

SEC. 3. *Be it further enacted*, That any parent, guardian or other person, having charge or control of any child embraced within the provisions of this Act who, with intent to evade the provisions of this Act, shall make a false statement concerning the age of such child, or the time that such child has attended school, shall be deemed guilty of misdemeanor and, upon conviction thereof, shall be fined in any case not less than Two Dollars or more than Fifty Dollars, at the discretion of the Court.

Penalty for  
failure to  
comply.

Any parent, guardian or other person, failing to comply with the provisions of this Act, shall be deemed guilty of



misdemeanor and, upon conviction thereof, shall pay a fine of not less than Two Dollars nor more than Twenty Dollars for the first offense, and not less than Five Dollars nor more than Fifty Dollars for the second and every subsequent offense, and the cost of the suit.

Remission  
officers.

*Provided*, That such fine may be suspended and finally remitted by the Court trying the case with or without payment of cost at the discretion of the Court, if the said child be immediately placed in regular attendance in some day school as aforesaid, and if such fact of regular attendance is proven subsequently to the satisfaction of said Court by an attested certificate of attendance by the superintendent or teacher of said school.

Any parent, guardian or other person having charge or control of any child embraced within the provisions of this Act, who shall be proceeded against under this Act, may prove in defense that he is unable to compel the child under his control to attend school, and he may thereupon be discharged from liability, and such child shall be proceeded against as a delinquent child under the statutes in such cases provided.

Jurisdiction.

SEC. 4. *Be it further enacted*, That the County Judge or Chairman of the County Courts of the several counties of this State shall have original and exclusive jurisdiction of all cases coming within the provisions of this act.

*Provided*, That in all cities maintaining a separate system of schools the City Recorder or Judge of said City shall be vested with all rights and powers to try and dispose of such cases coming with his jurisdiction. *Provided, further*, that any party aggrieved may appeal to the Circuit Court from the action of the County Judge.

Fines to go to  
school fund.

SEC. 5. *Be it further enacted*, That all fines and penalties provided in this Act shall be for the use of the public schools of the county or city in which such child resides. Any such fine or penalty may be recovered by rule or in any way that a court of equity enforces its orders or decrees.

Duty of  
superintendents

SEC. 6. *Be it further enacted*, That it shall be the duty of the County or City Superintendent to furnish to teachers, or in schools having more than one teacher to principals,

or cause to be furnished through any duly elected attendance officer, as hereinafter provided, the names of pupils depending on their schools for instruction, the said lists to be taken from the census enumeration on file in the office of the Superintendent. It shall be the duty of said teachers and principals to report promptly and regularly to the County or City Board of Education through the County or City Superintendent of Schools, the names of all parents, guardians or other persons, who fail to comply with the provisions of this Act.

It shall then be the duty of the Board of Education, through the County or City Superintendent or through any duly elected attendance officer, to give written notice to parent, guardian or other person, having charge and control of such child that the attendance of such child at school is required; and if said parent, guardian or other person, does not comply immediately with the provisions of this Act, said County or City Superintendent of Schools, or said duly elected attendance officer shall proceed against such child as a delinquent child and against such parent, guardian or other person, for violation of this act.

Duty of Board  
of Education.

SEC. 7. *Be it further enacted*, That in every city maintaining a separate school system having a scholastic population of 5,000 or more by the State school census of 1912, or any subsequent State school census, the Board of Education of said city shall elect one or more attendance officers to enforce the provisions of this Act.

Attendance  
officers.

In every city maintaining a separate system having a scholastic population of less than 5,000 by the State school census of 1912 or any subsequent State school census, and in every county, the Board of Education of said city or county shall have authority to elect one or more attendance officers to enforce the provisions of this Act; *provided*, that not more than one attendance officer shall be elected for every 5,000 school children residing in any city or county; *provided, further*, that every city having a separate system of schools and every county may appoint one such attendance officer.

Such attendance officers shall be residents of the county or city in which they are elected. They must be of good

Qualification  
of attendance  
officers.

moral character and must be able to read and write with ease. Before they shall be eligible for election all applicants for position as attendance officer shall present certificate from City or County Superintendent that they meet the requirements herein provided. Said attendance officer shall be paid not less than \$1.00 nor more than \$3.00 per day during such period of time as they may be employed by the School Board, and said payment shall be made out of the public school funds of said city or county. Said attendance officers shall serve written or printed notices upon the parents or guardian, or other person having charge and control of any child as aforesaid who violates the provisions of this Act, and shall, when reasonable doubt exists as to the age of any child, require a properly attested birth certificate; and shall have the right to visit and enter any office or factory or business house employing children as aforesaid, and the right to require a properly attested certificate of attendance of any child at a day school, and power to arrest, without warrant, all truants as aforesaid and place them in some public school, unless the parent, guardian or person having charge or control of said child shall at once place them in some other day school as aforesaid; such attendance officers shall serve the legal notices and subpoenas of the Court without further fee or compensation than that paid by the Board of Education as aforesaid, and he shall carry into effect such other regulations as may lawfully be required by the Board electing him.

Truancy  
school.

SEC. 8. *Be it further enacted*, That the Board of Education having charge of the public schools of any city or county having a population of 10,000 or more by the Federal Census of 1910, or any subsequent Federal Census, may establish a truancy school, either within or without their city or county limits for children who are between the ages of eight and sixteen years, and who are habitual truants from any day school in which they are enrolled as pupils, or while in attendance at school are incorrigible, vicious, or immoral, or who habitually wander or loiter about the woods or public places without lawful employment and such children may be deemed disorderly juvenile persons, and may be, by said School Board, through its



officers assigned to, and required and compelled to attend such truancy school or any department of the graded school, as such School Board may direct.

SEC. 9. *Be it further enacted*, That all laws or parts of laws in conflict with this Act, be and the same are, hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

# Amendment to General Education Bill.

## ACTS 1913. CHAPTER 23.

AN ACT to amend Chapter 264 of the Acts of 1909, passed April 20, 1909, and approved April 27, 1909, by providing for an increase in the General Education Fund provided in said Act, and setting forth the basis for apportioning certain parts of said fund.

General education fund increased from 25 to 33½ per cent of gross revenues of State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 264 of the Acts of 1909, passed April 20, 1909, and approved April 27, 1909, entitled "An Act to provide for the improvement of the system of Public Education of the State of Tennessee—that is to say, to establish a General Education Fund by appropriating thereto annually twenty-five per cent of the gross revenues of the State; to provide for the apportionment of this fund and specifying what part shall be apportioned to the several counties of the State on the basis of scholastic population; what part shall be used to equalize more nearly the school facilities of the several counties, and the conditions on which this part shall be apportioned; what sum shall be used to assist in paying salaries of County Superintendents, and on what conditions; what part shall be used to encourage and assist in the establishment and maintenance of public county high schools, and on what conditions; and providing for the grading and inspection of high schools; what part shall be used for the establishment and maintenance of school libraries and on what conditions; what part shall be used for the establishment and maintenance of three Normal Schools for white teachers, one in each Grand Division of the State, and one Agricultural and Industrial Normal School for negroes and providing for the location, establishment, and control of said schools; and what part shall be apportioned to the University of Tennessee and its various stations; and to

repeal Chapter 537 of the Acts of 1907" be, and the same is, hereby amended, by striking out the words "twenty-five per cent" wherever they occur in said Act and substituting in lieu thereof the words "thirty-three and one-third per cent."

SEC. 2. *Be it further enacted*, That Section 3 of said Chapter of said Act be amended so as to read as follows:

Purposes of 10  
per cent fund.

That ten per cent of the General Education Fund provided by this Act shall be and the same is hereby set aside as a special fund to be used and expended for the purpose of more nearly equalizing the common schools in the several counties of the State; also for the purpose of encouraging the introduction of industrial work, including agriculture, home economics, manual training and kindred subjects in county elementary schools and providing for the adequate supervision of the same; also for encouraging the establishment of consolidated schools where practicable with provisions for transportation facilities where necessary; the same to be distributed among the various counties by the State Board of Education in accordance with provisions herein set forth.

Conditions on  
which counties  
share.

*Provided*, That before any county shall be eligible to receive any portion of this 10 per cent of the General Education Fund provided by this Act, it shall levy for public schools, including the school tax levied by the State, and excluding taxes for public high schools, a tax of not less than 40 cents on the \$100.00 of taxable property, a tax of \$2.00 on each taxable poll, and all the privilege taxes which the laws of the State permit counties to levy for school purposes.

State aid for  
supervisors.

*Provided further*, That in any county where a supervising teacher or a supervisor of any number of elementary schools, or a supervisor of industrial work in county elementary schools is elected by the County Board of Education and funds are provided in said county to pay said supervisor, the State Board of Education shall be authorized to supplement the same by an amount not exceeding what is paid by the County Board of Education; *provided*, that said supervisors shall be approved by the State Super-



intendent of Public Instruction; and *provided, further*, that two such payments by the State to one county shall not be allowed until one payment is made in every county complying with the requirements and making application within any one year; the time for applying for State help to be fixed by the State Board of Education.

State aid for  
consolidation  
and transporta-  
tion.

*Provided, further*, That when any County Board of Education shall establish a consolidated school with as many as three or more teachers and provision is made for transporting the pupils dependent upon such school for educational facilities who reside further than two and one-half miles therefrom, the State Board of Education may assist said school by appropriating to its maintenance a reasonable amount out of the funds provided by this Section of this Act; *provided*, the building and equipment of said school shall measure up to the standard set by State Board of Education; and *provided, further*, that not more than one school in any county shall be thus aided in any one year until at least one school in every county making application in that year shall have been aided; and provided that the time for making such application for State aid shall be fixed by the State Board of Education.

Equalizing  
fund.

*Provided, further*, That any portion of the ten per cent of the General Education Fund provided by this Act and this Section of this Act not otherwise disposed of in any year shall be used to equalize the Common Schools in the various counties, and shall be distributed by the State Board of Education among the counties according to their educational needs, as determined by reliable data filed in the office of the State Superintendent of Public Instruction.

State aid for  
industrial work  
in high schools.

SEC. 3. *Be it further enacted*, That Section 5, of said Chapter of said Act be amended by striking out the last part of said Section 5 beginning with the words "shall revert," and substituting therefor the following words: "shall be used under the direction of the State Board of Education for the purpose of stimulating and encouraging the establishment and maintenance of departments of industrial work, including agriculture, home economics, manual training and kindred subjects, and also for the

purpose of equalizing the high schools of the various counties; *provided*, that if in any county levying a tax for high school purposes at the highest rate permitted by law for that purpose, the proceeds of said levy do not amount to as much as Two Thousand (\$2,000.00) Dollars in any year, the State Board of Education shall apportion to the high school fund of said County out of the State high school fund provided in Section 5, Chapter 264, Acts of 1909, the amount necessary to make a high school fund of Two Thousand (\$2,000.00) Dollars for said County for said year."

SEC. 4. *Be it further enacted*, That the first, second and third paragraphs of Section 6 be amended to read as follows: Library aid.

That one per cent of the General Education Fund provided by this Act shall be used to encourage and assist in the establishment and maintenance of libraries in the public schools as herein provided.

Whenever the patrons and friends of any public school in any county in the State shall raise by private subscription or otherwise, and tender to the County Trustee through the County Superintendent of Public Instruction, the sum of Ten Dollars or more for the establishment and maintenance of a library for that school, or for supplementing, a library already established, said County Superintendent shall notify the State Superintendent of Public Instruction, and upon the certificate of the State Superintendent of Public Instruction the Comptroller of the Treasury shall pay to the Trustee of said County out of the fund herein provided a sum equal to that raised by private subscription or otherwise to be added to the library fund of said school.

*Provided*, that the State will appropriate not more than Forty Dollars for this purpose to any one school during a single year.

*Provided, further*, that the State Board of Education shall have the power, and the same is hereby authorized to employ a Director of Library Extension at a salary of not exceeding fifteen hundred dollars a year with necessary

traveling expenses as fixed by the State Board of Education, all to be paid out of the library fund as herein provided.

Director of  
library extension.

The said Director of Library Extension shall have an office in the office of the State Superintendent of Public Instruction and shall work under his general supervision. It shall be the duty of the Director of Library Extension to encourage and stimulate the establishment of libraries, especially in public schools; to prepare selected lists of books adopted to the needs of various schools from the list approved by the State Board of Education; to render such assistance as the State Board of Education may require in the preparation of general school library lists; to visit teachers' institutes and other educational and community meetings in the interest of library extension and for the purpose of giving instruction in the selection, care and use of libraries, to assist the State Superintendent of Public Instruction in preparing Reading Circle Courses for public school teachers and pupils; and to perform such additional duties as the State Board of Education may prescribe.

Circulating  
libraries.

That the last paragraph of Section 6 of Chapter 264 of the Acts of 1909 be amended so as to read; One-fifth of the amount accruing annually for libraries under the provisions of this Act shall be used for the purchase and maintenance of circulating libraries under the direction of the State Library.

SEC. 5. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.



# Uniform Examination and Certification of Teachers

---

## ACTS 1913. CHAPTER 40.

AN ACT entitled An Act to define the qualifications and duties of Public School Teachers; to provide a uniform method for the examination and certification of teachers; to provide for the Issuance of teachers' certificates of different grades, and for the revocation of certificates; and to fix penalties for the violation of the provisions of this Act.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That no person shall be employed to teach in any public elementary or high school of the State or receive pay for teaching out of the public school funds of any county until he has received a certificate as prescribed in this Act. No such payment shall be allowed if made, and any officer who shall make or sanction the same shall be subject to a penalty of not less then Five (\$5.00) Dollars nor more than Fifty (\$50.00) Dollars, to be paid into the public school fund of the county in which collected.

Certificates  
required.

No person under eighteen years of age shall receive a certificate to teach in the public schools of this State, and no person under twenty years of age shall receive pay out of the public school funds as the principal of any school having more than one teacher.

Age.

No person shall receive a certificate to teach in the public schools of this State unless he has a good moral character, and under no circumstances shall certificates be granted to persons addicted to the use of intoxicants, opiates or cigarettes. All persons who appear before the local examining committee of any county or the State Board of Examiners for teachers' certificates, as hereinafter provided, must satisfy the local examining committee or the State Board of Examiners that they meet the requirements of

Qualifications  
of teachers.

this Act as regards age and moral character before being allowed to proceed with the examination; and the local examining committee or State Board of Examiners may require proof as to age and testimonials as to character.

No person shall teach in any public school of this State who has any contagious or communicable disease in such form as that the health of children would be endangered by his presence in the school room with them; and any County Board of Education or City Board of Education may require a teacher to submit to an examination by a competent physician at any time when there is reason to believe that the teacher has any disease of this kind; and any Board of Education may require from any teacher asking to be employed in any public school under its direct control a certificate of health signed by a competent physician.

Records  
required.

SEC. 2. *Be it further enacted*, That every teacher in the public schools of the State shall keep a daily record of facts pertaining to his school in such form as is required by the State Superintendent of Public Instruction and as indicated in the school register furnished the teacher for that purpose, and the teacher shall be responsible for the safe keeping and delivery of the same to the County Superintendent of Public Instruction at the close of the school term or at the close of his services.

Contracts  
necessary.

SEC. 3. *Be it further enacted*, That written contracts for the school year shall be made between the County Boards of Education and the public school teachers at fixed rates per month before they enter upon their duties. These contracts shall be in such form as may be furnished by the State Superintendent of Public Instruction, and every contract shall be signed in duplicate in ink, each party holding a copy. Failure to comply with the provisions of this section of this Act shall subject either or both parties to a fine of Twenty-five Dollars.

SEC. 4. *Be it further enacted*, That any principal teacher of a public school may, for good and sufficient reasons, suspend a pupil from attendance on his school until the case is decided by the County Board of Education, which shall be with as little delay as possible.

*Provided*, that a report of every suspension shall be made at once, through the County Superintendent, to the County Board of Education.

SEC. 5. *Be it further enacted*, That it shall be the duty of all teachers in any county of this State to attend the full term of any county institute held for teachers of his race in that county under provisions made by the State and County Superintendents of Public Instruction; but, in lieu of attendance upon the institute in his county, a teacher may attend a similar institute in any other county in the State in the same year, or take regular work in a summer session of one of the State Normal Schools or any regularly organized summer school of good standing.

Institute attendance.

SEC. 6. *Be it further enacted*, That after the first day of July, 1914, the requirements for certificates to teach in the public schools of this State shall be uniform in all the counties. Every certificate shall be issued by the State Superintendent of Public Instruction in accordance with regulations hereafter prescribed.

State superintendent to issue all Certificates.

Except as hereinafter provided, every person receiving a certificate to teach in the public elementary schools of the State shall have passed a satisfactory examination in the subjects prescribed to be taught in the elementary schools and in the principles and practice of teaching and school management; and every person receiving a certificate to teach in the public high schools of the State shall have passed a satisfactory examination in the history of secondary education, principles and practice of teaching and school management, with special reference to high school work, English language and literature, and other subjects named on the certificate issued to him.

Examinations required.

The standards for examinations and the grade of scholarship required for certificates shall be determined by the State Superintendent of Public Instruction and in accordance with the provisions of this Act.

Certificates shall be designated and graded as elementary certificates of the first or second grade or high school certificates of the first or second grade. A first grade certificate shall be valid for a period of five years from date

Grades of certificates.



of issue, a second grade certificate for a period of two years. Certificates granted on examinations taken in the various counties, under the supervision of the local examining committee as hereinafter provided, shall be good only in the county in which the examinations are taken. Certificates granted on examinations taken at special places, under the supervision of the State Board of Examiners, as hereinafter provided, shall be good in any county in the State.

**First grade.**

To obtain a first grade certificate the applicant must be at least nineteen years of age and must have had at least eight months successful teaching experience, and must make an average of 85 per cent on the subjects prescribed for examination and must not fall below 70 per cent on any subject. An applicant who makes a first grade average as required, but who has not the requisite teaching experience, will be granted a second grade certificate which may be changed to a first grade certificate after eight months successful teaching.

**Temporary certificates.**

In case there are not enough teachers with certificates applying for the schools in any county, the State Superintendent of Public Instruction may issue a temporary certificate to a sufficient number of those persons who stood the examination in that county and are most nearly qualified, as shown by any regular examination in which they may have participated, which certificate shall be good only in said county; or he may order a special examination for that purpose. But no certificate thus issued shall be valid longer than the time for the next examination, and no such certificate shall be issued to the same person more than twice.

**Professional certificates.**

Professional certificates shall be issued by the State Superintendent of Public Instruction as follows:

1. An elementary certificate of the first grade to the applicant who has completed the academic course of the State Normal Schools.

2. A certificate good in all schools, except high schools of the first class, to the applicant who has completed the normal course of the State Normal Schools.

3. A high school certificate of the first grade to the applicant who is a graduate of the State University who has completed any six half-year courses offered by the University in psychology, history of education, principles of teaching and school management, not less than two of which shall have special reference to high school work.

4. In accordance with such uniform rule and regulations as may be adopted by the State Board of Education, the State Superintendent of Public Instruction may issue certificates without examination to graduates of other institutions of learning whose standards of admission and requirements for graduation are not lower than those of the State Normal Schools and the State University.

*Provided*, That said standards and requirements shall first have been carefully examined by the said Superintendent and Board; and,

*Provided, further*, That the requirements with which the graduates of said institutions are licensed shall not be lower than those made for the graduates of the State Normal Schools and the State University of this State.

All certificates granted by the State Superintendent of Public Instruction on diplomas or degrees from institutions of learning shall be good in any county of the State.

All certificates outstanding at the time this Act takes effect shall be valid for the times and purposes for which they were issued if not revoked by the State Superintendent of Public Instruction.

The State Superintendent of Public Instruction may revoke the certificate of any teacher who shall be guilty of immoral conduct, upon sufficient evidence of the same furnished by the County Superintendent of the county in which the holder is teaching.

Revocation of  
certificates.

The State Superintendent of Public Instruction shall, with the help of the State Board of Examiners as hereinafter provided, prepare and announce courses of study for persons holding the elementary certificate of the first grade and for persons holding the high school certificate of the first grade, such courses to cover the principal subjects named in the certificates; and any such person who com-

Permanent  
certificates.

pletes either of these courses and passes the required examination upon the subjects contained in it shall be granted a permanent certificate of the same class and grade; but permanent certificates shall be revoked if the holders shall discontinue school work for more than three successive years, and if they fail to attend institutes and do the work of the Reading Circle, or meet other requirements as prescribed by the State Superintendent of Public Instruction and the State Board of Education.

State board of  
examiners.

SEC. 7. *Be it further enacted*, That the State Board of Education and the State Superintendent of Public instruction, are hereby constituted a Board of Examiners, of which the State Superintendent of Public Instruction shall be chairman, for the purpose of preparing questions, conducting examinations and otherwise assisting the State Superintendent of Public Instruction and the State Board of Education in carrying out the provisions of this Act; and they shall, upon the call of the State Superintendent of Public Instruction, meet for this purpose at such times and places as he may designate. The necessary expenses of the Examiners incurred in attending such meetings and in performing any other duties required of them by this Act shall be paid out of the examination fund to be made up of the examination fees as hereinafter provided. The State Board of Examiners herein provided, shall have the power and authority to secure the assistance of the Normal School Presidents, State High School Inspector, Elementary School Inspector, and all other employees of said Board in conducting said examinations without any extra pay or compensation for said services.

On the recommendation of the Examiners, the State Superintendent may employ, at such reasonable wages as the Examiners shall fix, competent persons to grade examination papers and such other assistants as may be necessary to enable him to carry out the provisions of this Act, all such wages to be paid out of the examination fund in the manner herein provided.

Local  
examinations.

Examinations shall be held at the county seat of each county in some suitable room or rooms, to be designated



by the local examining committee on dates prescribed by the State Superintendent of Public Instruction. The County Superintendent of Public Instruction, the Chairman of the County Board of Education and one other person, to be selected by the State Superintendent of Public Instruction, shall constitute the local examining committee of each county. For service on examining committees County Superintendents shall receive no pay in addition to their regular salary; the Chairman of the County Board of Education shall receive his per diem and expenses as for other services, and the third members shall be paid at the same rate; all payments to be made out of the school fund of the county as other incidental expenses are paid.

On the same dates examinations shall be held at such other places in the State as may be designated by the State Superintendent of Public Instruction, under the supervision of the State Board of Examiners, and on such dates as may be named by the State Superintendent of Public Instruction. No fewer than two places shall be selected in each Grand Division, and the questions shall be uniform in all examinations.

State examinations.

In conducting the examination the local examining committee and the State Board of Examiners shall comply with the provisions of this Act and the rules and regulations of the State Superintendent of Public Instruction and the State Board of Education; and after each examination and upon completion of the duties connected therewith, the members of the local examining committee and the representatives of the State Board of Examiners supervising said examination shall make oath or affidavit before a Notary Public or other person authorized to administer oath, that they have conducted the examination in accordance with said law and rules and regulations, and said oath or affidavit shall be forwarded at once to the State Superintendent of Public Instruction, with the examination papers of all applicants.

Rules of examination.

Any County Superintendent, member of examining committee, printer, officers of State or county, or any other

Penalty for giving information as to examinations.

person who shall sell, barter, give or furnish or procure to be sold, bartered, given or furnished to any applicant for a certificate to teach in the public schools, or to any person, any question or questions prepared or sent out by the State Board of Examiners for the examination of persons applying for such certificates, or in any way dispose of such question or questions except in the manner provided by law and the regulations of the State Superintendent of Public Instruction, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than \$100.00, and may be imprisoned, at the discretion of the Court.

**Fees.**

Before entering upon the examination, every applicant for an elementary school license shall pay to the Trustee of the County a fee of Two and One-half (\$2.50) Dollars, and every applicant for a high school license shall pay a fee of Three and One-half (\$3.50) Dollars. *Provided*, That one-half of these fees in each county be held in said county for the support of the County Institute and the Trustee shall give a receipt for the same, which receipt shall be presented to the examining committee before the examination is begun. The County Trustee shall forward to the State Superintendent of Public Instruction a voucher for all moneys received in examination fees, less his commission of two per cent, and a correct statement showing the amount of each fee and the name and postoffice address of the person paying the same.

Any applicant for license who presents a diploma or certificate or other credential in lieu of examination shall pay to the State Superintendent of Public Instruction a fee of Two and One-half Dollars; all fees thus received by the State Superintendent of Public Instruction shall be deposited as other examination fees with the Comptroller of the Treasury.

**Deposit of fees.**

The State Superintendent of Public Instruction shall endorse all such vouchers and deposit them with the Comptroller of the Treasury, to be collected and held as a special fund, out of which all expenses of the examination shall be paid. Vouchers for such expenses shall be drawn on this fund in the same manner as vouchers are drawn on

the school fund for the expenses of the State Board of Education, and separate accountings of the same shall be made and published by the State Superintendent of Public Instruction in his report and by the Comptroller and Treasurer in their reports.

Any portion of this examination fund remaining after all the expenses of examinations of any year have been paid, may, with the consent of the State Board of Education, be used by the State Superintendent of Public Instruction for awards to encourage teachers, pupils and school officers to make improvements in their schools in any way he may designate.

SEC. 8. *Be it further enacted*, That the provisions of this Act shall apply to all public school teachers in the State except those employed by Boards of Education in cities having a population of more than 7,500 by the Federal census of 1910, or any subsequent Federal census.

Cities included.

SEC. 9. *Be it further enacted*, That all fines or penalties that may be collected under this Act shall go into the public school fund of the county or city in which collected.

SEC. 10. *Be it further enacted*, That all laws or parts of laws in conflict with this Act be, and the same are, hereby repealed, and, except as otherwise provided, this Act take effect from and after its passage, the public welfare requiring it.





# Classified List of Decisions of the Supreme Court Construing the School Laws.

---

## I.—STATE SUPERINTENDENT.

**Suit to recover counsel fees illegally paid out of county school funds may be prosecuted by State Superintendent of Public Instruction.**—*State v. H. C. True*, 8 Cates, 294.

**The power to employ counsel and procure a suit to be brought to prevent a misappropriation of public school funds in the hands of the County Trustee is vested in the State Superintendent of Public Instruction, and not in the Quarterly Court.**—*State v. True*, 8 Cates, 309, 310.

## II.—COUNTY SUPERINTENDENT.

**Decision of County Court Final in fixing salary.**—6 Lea, 501, *Haile v. Young*.

## III.—DISTRICT DIRECTORS.

**Election—Illegal Directors.**—12 Lea, 486, *Meadows v. Nesbitt*.

**Election of Directors.**—See cases *Nollie Roberts v. Len K. Hart*, Trustee; *Banks v. Burkhalter*, from Davidson County. 21 and 22 Pickle.

**Contested Election—County Court Decides.**—12 Lea, 30, *State v. Burchfield*.

**Removal from Office.**—3 Tenn. Ch. Rep., 177, *State v. Leonard*.

**Contracts with, and pay and dismissal of teachers.**—5 Lea, 526, *Parker v. School District*; 12 Lea, 486, *Meadows v. Nesbitt*; 10 Lea, 344, *Crawley v. Leonard*; 10 Lea, 219, *Morley v. Power*; 5 Lea, 692, *Morley v. Power*; 5 Lea, 265, *Bayless v. Driskell*.

**Violation of Section 19 of School laws a misdemeanor.**—9 Baxter, 559, *State v. Keeton*.

**Power to regulate the suspension or dismissal of pupils.**—5 Lea, 526, *Parker v. School District*.

**Directors contract with teachers.**—See cases *Nollie Roberts v. Len K. Hart*, Trustee; *Banks v. Burkhalter*, from Davidson County. 21 and 22 Pickle.

**Liability of school directors for loss of school fund.**—See Code, sec. 1426; *Finney v. Garner*, 2 Cates, 67-74.

**Suit against school directors for loss of school fund may be brought in whose name.**—*Finney v. Garner*, 2 Cates, 67-74.

## IV.—TEACHERS.

**Power of Directors to employ, control, and dismiss teachers.** (See Directors.)—5 Lea, 692, *Morley v. Power*; 5 Lea, 526, *Parker v. School District*; 10 Lea, 219, *Morley v. Power*; 10 Lea, 344, *Crawley v. Leonard*; 12 Lea, 486, *Meadows v. Nesbitt*; 9 Baxter, 559; *State v. Keeton*, 13 Pickle, 489, 490, 494.

**Teachers' contract with directors.**—See cases *Nollie Roberts v. Len K. Hart*, Trustee; *Banks v. Burkhalter*, from Davidson County. 21 and 22 Pickle.

**Employment of minors.**—12 Lea, 30, *State v. Burchfield*.

**Pay of teachers.**—10 Lea, 219, *Morley v. Power*; 10 Lea, 344, *Crawley v. Leonard*; 5 Lea, 265, *Bayless v. Driskell*; 6 Lea, 274, *Bank v. Baber*.

**Power of teachers to suspend and punish pupils.**—3 Head, 425, *Anderson v. State*; 5 Lea, 526, *Parker v. School District*; 3 Leg. Rep., 19, *State v. Von Strans*.

NOTE.—The power to employ teachers for schools beginning after July 1, 1907, is vested in the County Board of Education and not in directors now in office.

## V.—SCHOOL DISTRICTS.

**Debt of Directors binds successors, although district organization changed.**—3 Tenn. Ch. Rep., 556, *Shankland v. Phillips*; 6 Lea, 273, *Bank v. Baber*.

NOTE.—Since the decision in the case of *Rodemer v. Mitchell*, 6 Pickle, 65, the Legislature of 1891 has, by statute, empowered the County Court to create new school districts.

**School districts, citizens, taxpayers, etc., can maintain an action for illegal distribution of the school funds.**—*State v. True*, 8 Cates, 311.

## VI.—COUNTY TRUSTEE.

**Liability.**—5 Lea, 265, *Bayless v. Driskell*; 6 Lea, 276, *Bank v. Baber*.

**May be sued.**—9 Lea, 168, *Bedwell v. Jones*; 14 Lea, 536, *Jernegan v. Gray*.

## VII.—SCHOOL TAXES.

**County Court may levy tax equal to entire State tax at any term of Court.**—5 Lea, 708, *Railroad v. Franklin County*; 7 Lea, 309, *Bright v. Holloman*.

## VIII.—PUBLIC SCHOOL FUNDS.

**Statute for collection and disbursement of public school funds is not unconstitutional as embracing more than one subject.**—Constitution cited and construed: Art. 2, sec. 17; Acts cited and construed: Acts 1897, ch. 36; *State v. True*, 8 Cates, 298-307.

**Quarterly Court cannot employ counsel to prevent misappropriation of.** Power in State Superintendent of Public Instruction.

**Counsel fees cannot be paid out of school fund by Chairman of County Court for services in suit for protection of school funds.**—*State v. True*, 8 Cates, 307.

**Bond to protect sureties on, not released by individual action of Directors—liability of.**—*Finney v. Garner*, 2 Cates, 68.



## IX.—SCHOOL WARRANTS.

**How issued.**—10 Lea, 219, *Morley v. Power*; 5 Lea, 265, *Bayless v. Driskell*.  
**Not negotiable, do not bear interest, subject to statute of limitations, etc., and Trustee's duty.**—5 Lea, 265, *Bayless v. Driskell*; 6 Lea, 274, *Bank v. Baber*.

## X.—SCHOOLS OF MUNICIPAL CORPORATIONS.

**May levy tax, and may admit children residing outside the corporation.**—15 Lea, 633, *Ballentine v. Pulaski*.

## XI.—PROCEDURE IN COURTS.

**Teacher cannot sue Comptroller.**—10 Lea, 576, *Yost v. Gaines*.  
**County Trustee may be sued.**—9 Lea, 168, *Bedwell v. Jones*; 14 Lea, 536, *Jernegan v. Gray*.  
**Cases where mandamus will lie.**—5 Lea, 265, *Bayless v. Driskell*; 5 Lea, 692, *Morley v. Power*; 6 Lea, 274, *Bank v. Baber*.  
**County Court decides contested election of Directors.**—12 Lea, 30, *State v. Burchfield*.  
**Removal of Director.**—3 Tenn. Ch. Rep., 177, *State v. Leonard*.

## XII.—OATH MUST BE TAKEN BY ALL OFFICERS—MISDEMEANOR TO ENTER ON OFFICE WITHOUT IT.

Constitution, Art. 10, Sec. 1; M. & V. Code, Art. 2, Secs. 940, 941, 942, 943, 947, 948; 8 Baxter, 591.

## XIII.—CONSTITUTIONAL REQUIREMENT.

Constitution, Art. 11, Sec. 12; 5 Hum., 279; 5 Baxter, 1.  
**Uniform Text-Book Act Constitutional.**—*Leiper v. State*, 19 Pickle.



# INDEX.

## ACADEMIES.

May transfer property, pp. 61, 62.

## ADMINISTRATION.

Advisory Board of Education . p. 18, sec. 13.

County Board of Education, p. 15, sec. 3.

County High School Board of Education, p. 38, sec. 3.

County Superintendent, p. 10, sec. 8.

State Board of Education, p. 7.

State Superintendent, p. 3, sec. 3.

State High School Inspector, p. 73, sec. 5.

State Board of Examiners, p. 104, sec. 7.

## ADVISORY BOARDS.

Election, p. 18, sec. 13; p. 58, sec. 13.

Members to qualify, p. 60, sec. 18.

Duties, p. 18, sec. 14, subsecs. 1 to 6; pp. 58, 59.

Vacancies, p. 14, sec. 11, subsec. 2; p. 59 sec. 15.

## AFFIDAVIT.

Census Enumerator, p. 19, sec. 14, subsec. 4.

To be filed with County Superintendent, p. 19, sec. 14, subsec. 4.

## AGRICULTURAL AND INDUSTRIAL NORMAL SCHOOL.

Who may attend, p. 76, sec. 7.

## AGRICULTURE.

To be taught, p. 26, sec. 32, subsec. 6.

## APPORTIONMENT.

Common school funds, p. 70, sec. 2.

Equalization funds, p. 70, sec. 3.

Supplement of County Superintendent's salary, p. 71, sec. 4.

State funds, p. 30, sec. 44.

## APPROPRIATION.

Text-book Commission, p. 53, sec. 16.

## ARBOR DAY.

Appointed by county superintendents, p. 14, sec. 11, subsec. 2.

Public exercises, p. 14, sec. 11, subsec. 2.

## ATTENDANCE.

Age of pupils, p. 6, sec. 7, subsec. 13; p. 24, sec. 30; p. 88, sec. 1.

Minimum attendance required, p. 25, sec. 30.

Exemptions, p. 88, sec. 2.

Penalties for evasion or failure to comply with compulsory attendance law, p. 89, sec. 3.

Provisions for indigent children, p. 89, sec. 2.

Teachers to be furnished names of children of school age, p. 91, sec. 6.

Teachers to report absent children of school age to superintendents, p. 91, sec. 6.

Written notice to parents of absences, p. 91, sec. 6.

Attendance officers to be elected, p. 91, sec. 7.

Truancy schools may be established, p. 92, sec. 8.

## ATTENDANCE OFFICERS.

Qualifications, p. 91, sec. 7.

Duties, p. 91, sec. 6; p. 92, sec. 7.

## ATTORNEY GENERAL.

Prepare text-book contract, p. 45, sec. 3.

## ATTORNEYS, DISTRICT AND LOCAL.

State Superintendent may appoint, p. 32, sec. 45f.

Prosecute County Superintendent or trustee for failure to make report, p. 32, sec. 45g.

Conduct prosecutions, p. 24, sec. 25.

## BANK OF TENNESSEE.

Issue, p. 29, sec. 43.

## BOARDS, LOCAL AND ADVISORY.

Duties, p. 19, sec. 14, subsecs. 1 to 6; pp. 58 and 59.

How elected and when to qualify, p. 18, sec. 13; p. 58, sec. 13.

Vacancies, p. 14, sec. 11, subsec. 2; p. 59, sec. 15.

## BOARDS OF EDUCATION.

Advisory Boards, p. 18, sec. 13.

County Board of Education, p. 15, sec. 3.

County High School Board of Education, p. 38, sec. 3.

State Board of Education, p. 7, sec. 55.

## BOND.

To furnish text-books may be sued on, p. 46, sec. 3.

## BONDS.

Commission not allowed trustee, p. 83, sec. 6.

County Court may issue and sell, p. 82, sec. 1.

Denomination, p. 83, sec. 4.

Fund from bonds kept separate, p. 83, sec. 6.

Interest on, p. 82, sec. 2.

Issued by Quarterly Court, p. 85, sec. 11.

Proceeds turned over to trustee, p. 83, sec. 6.

Redemption of, p. 85, sec. 12.

Seal of County Clerk, p. 82, sec. 1.

Signed by Judge or Chairman of County Court, p. 82, sec. 3.

Sinking fund, p. 84, sec. 8.

Special school fund, p. 84, sec. 10.

## BRANCHES OF STUDIES.

Primary schools, p. 25, sec. 32, subsecs. 2 and 6.

Secondary schools, p. 25, sec. 32, subsec. 3.

## CENSUS.

Duty City Board of Education, p. 19, sec. 14, subsec. 4.

Duty of Secretary of Advisory Board, p. 19, sec. 14; subsec. 4.

Duty of County Superintendent, p. 12, sec. 9, subsec. 5.

Duty of State Superintendent, p. 6, sec. 7, subsec. 12.



## CERTIFICATES.

- Qualification of teachers, p. 20, sec. 1; p. 6, sec. 7, subsec. 10a; p. 26, sec. 32, subsec. 5; p. 101, sec. 6.
- To pupils completing primary school, p. 27, sec. 32, subsec. 2.
- To pupils completing secondary school, p. 27, sec. 32, subsec. 3.
- Certificate of health may be required of teachers, p. 21; p. 100, sec. 1.
- To be issued by State Superintendent, p. 101, sec. 6.
- Grades of certificates, p. 101, sec. 6.
- Temporary certificates, p. 102, sec. 6.
- Professional certificates, p. 102, sec. 6.
- Revocation, p. 103, sec. 6.
- Permanent certificates, p. 103, sec. 6.

## CITIES AND TOWNS.

- To enumerate scholastic population, p. 19, sec. 14, subsec. 4.
- What to include in population reports, p. 19, sec. 14, subsec. 4.
- Rights, p. 33, sec. 52.
- May establish graded schools, p. 33, sec. 52, subsec. 1.
- May levy school tax, p. 33, sec. 52.
- Exempt from County Board law, p. 59, sec. 16.

## CITY SCHOOLS.

- Exempt from County Board Law, p. 59, sec. 16.
- Boards to enumerate census, p. 19, sec. 14, subsec. 4.
- To receive share of public school money, p. 33, sec. 51.

## COMPTROLLER.

- To apportion school fund, p. 30, sec. 44.
- To distribute school fund to counties on a per capita basis, p. 69, secs. 1 and 2.
- To certify to Chairman of County Court, p. 32, sec. 45g.
- To give notice of distribution, p. 30, sec. 44.
- To issue warrant on Bank of Tennessee fund, p. 29, sec. 43.
- To issue warrant for expenses of examinations of teachers, p. 106, sec. 7.

## COMPULSORY ATTENDANCE.

- Age of pupils, p. 6, sec. 13; p. 24, sec. 30; p. 88, sec. 1.
- Exemptions, p. 88, sec. 2.
- Consecutive attendance, p. 88, sec. 1.
- Provisions for indigent children, p. 89, sec. 2.
- Penalties for evasion or failure to comply, p. 89, sec. 3.
- Remission officers, p. 90, sec. 3.
- Jurisdiction of judges, p. 90, sec. 4.
- Fines to go to school fund, p. 90, sec. 5.
- County Superintendents to furnish teachers names of children of school age, p. 91, sec. 6.
- Teachers to report absent children of school age to superintendents, p. 91, sec. 6.
- County and City Superintendents must give written notice to parents of absences, p. 91, sec. 6.
- Attendance officers to be elected, p. 91, sec. 7.
- Qualification of attendance officers, p. 91, sec. 7.
- Duties of attendance officers, p. 91, sec. 6; p. 92, sec. 7.
- Truancy schools may be established, p. 92, sec. 8.

## CONSOLIDATED SCHOOLS.

- Power of district directors and County Board of Education, p. 27, sec. 33.
- Power of County High School Board, p. 39, sec. 8.
- State aid for, p. 71, sec. 3.
- Consolidation authorized, p. 86, sec. 1.
- Transportation of pupils authorized, p. 86, sec. 2.
- Supervisors authorized, p. 86, sec. 3.
- Qualifications of supervisors, p. 87, sec. 3.

## CONTRACTORS.

- To print price on text-books, p. 47, sec. 4.
- To make bond, p. 46, sec. 3.

## COUNTIES.

- Exempt from County Board law, p. 60, sec. 17.
- That receive portion of equalization funds p. 70, sec. 3; p. 73, sec. 5.

## COUNTY BOARD LAW.

- Counties under, p. 54, sec. 1.
- Counties exempt, p. 60, sec. 17.
- Cities exempt, p. 59, sec. 16.

## COUNTY BOARD OF EDUCATION

- Who constitute County Board, p. 15, sec. 3.
- Members of, p. 54, sec. 3.
- Created, p. 54, sec. 1.
- Election and qualification, p. 54, sec. p. 55, sec. 5.
- How vacancies are filled, p. 14, sec. 11; p. 15, sec. 6.
- Duties of Chairman, p. 16, sec. 7, subsec. 1, and p. 55, sec. 7.
- Temporary Chairman, p. 16, sec. 7, subsec. 1.
- Special meetings, p. 16, sec. 7, subsec. 2, and p. 17, sec. 10, subsec. 1.
- Committees, p. 16, sec. 7, subsec. 2.
- Term of service, p. 15, sec. 4.
- Time to qualify and organize, p. 15, sec. 4.
- Must be resident of district, p. 15, sec. 5.
- Quorum, p. 16, sec. 7, subsec. 1.
- Duties of Board, p. 56, sec. 10, subsec. 1; pp. 57, 58 and 59.
- To select teachers, p. 56, sec. 10, subsec. 2.
- To fix term of schools, p. 57, sec. 10, subsec. 3.
- To locate schools, p. 57, sec. 10, subsec. 4; p. 17, sec. 10, subsec. 4.
- To receive reports, p. 57, sec. 10, subsec. 5.
- To visit schools, p. 57, sec. 10, subsec. 6; p. 18, sec. 10, subsec. 6.
- To dismiss pupils, p. 57, sec. 10, subsec. 7; p. 19, sec. 14, subsec. 5.
- May require certificates of health of teachers, p. 20; p. 100, sec. 1.
- To dismiss teachers, p. 57, sec. 10, subsec. 8; p. 18, sec. 10, subsec. 8.
- To care for property, p. 57, sec. 10, subsec. 9; p. 18, sec. 10, subsec. 9.
- To make district reports, p. 57, sec. 11.
- Compensation, p. 58, sec. 12.
- Secretary's duties, p. 16, sec. 8, subsec. 1 to 3; p. 17, sec. 9.
- To suspend schools for poor attendance, p. 24, sec. 30; p. 17, sec. 10, subsec. 3.
- To perform duties of District Directors, p. 18, sec. 10, subsec. 9.
- To buy, transfer or sell school property, p. 18, sec. 10, subsec. 9.
- To act on appeals of suspended pupils, p. 18, sec. 10, subsec. 7.
- Issue order on Chairman for salary, p. 17, sec. 10, subsec. 5.
- Time of meetings, p. 17, sec. 10, subsec.

May permit pupils to attend in another county, p. 17, sec. 10, subsec. 4.  
To fix minimum attendance, p. 17, sec. 10, subsec. 3.  
To run schools same term, p. 17, sec. 10, subsec. 3.  
Control expenditure of school fund, p. 17, sec. 10, subsec. 2.  
To elect attendance officers, p. 91, sec. 7.  
May establish Truancy Schools, p. 92, sec. 8.

#### COUNTY COURT.

Chairman's duties, p. 53, sec. 8; p. 10, sec. 8, subsec. 1; p. 30, sec. 45a; p. 11, sec. 8, subsec. 1.  
County Superintendent to report to, p. 13, sec. 10.  
Levies county tax, p. 29, sec. 40.  
Tax to secure special fund, p. 70, sec. 3.  
May levy high school tax, p. 37, sec. 2.  
To elect high school board, p. 37, sec. 3.  
To divide county and school districts, p. 14, sec. 2.  
To elect members of County Board, p. 15, sec. 4.  
To approve County Trustee's bond, p. 22, sec. 44.  
May issue bonds for normal schools, p. 66, sec. 2.

#### COUNTY HIGH SCHOOL BOARD.

How elected, p. 37, sec. 3.  
Term of office, p. 37, sec. 3.  
Power to locate and control high schools, p. 39, sec. 7.  
May consolidate high schools, p. 39, sec. 8.  
May admit nonresidents or pupils over age, p. 40, sec. 10.

#### COUNTY HIGH SCHOOLS.

County Court may establish, p. 37, sec. 1.  
Special tax levy, p. 37, sec. 2.  
Fund to be kept separate, p. 37, sec. 2.  
How controlled, p. 37, sec. 3.  
Subjects and grades taught, p. 38, sec. 4; p. 72, sec. 5.  
Three teachers required, p. 38, sec. 5.  
Requirement for admission of pupils, p. 38, sec. 6.  
Board to locate, establish and manage, p. 39, sec. 7.  
May be consolidated, p. 39, sec. 8.  
To be under county and State officers, p. 39, sec. 9.  
Teachers to make reports, p. 39, sec. 9.  
Pupils over age and nonresidents, p. 40, sec. 10.  
Disbursement of fund, p. 40, sec. 11; p. 72, sec. 5.  
High School Inspector, p. 73, sec. 5.  
Academies may transfer property to, pp. 61 and 62.  
Teachers to be examined, p. 73, sec. 5; p. 101, sec. 6.  
Branches to be taught, p. 52, sec. 11.  
Fund to revert under certain conditions, p. 74, sec. 5.

#### COUNTY SUPERINTENDENT.

Election and term of office, p. 10, sec. 8, subsec. 1.  
Removal from office, p. 10, sec. 8, subsec. 1.  
To be examined, p. 9, sec. 55, subsec. 12; p. 11, sec. 8, subsec. 1.  
Qualifications, p. 10, sec. 8, subsec. 1.  
Shall file certificate, p. 11, sec. 8, subsec. 1.  
Life of certificate, p. 11, sec. 8, subsec. 1.

Exempt from examination, p. 11, sec. 8, subsec. 1.  
Women eligible, p. 11, sec. 8, subsec. 1.  
Duties, p. 11, sec. 9.  
Supervision of schools, p. 11, sec. 9, subsec. 1.  
To visit schools, p. 11, sec. 9, subsec. 2.  
Require report from County Board, p. 12, sec. 9, subsec. 3.  
Examine teachers and issue certificates, p. 12, sec. 9, subsec. 4.  
Report scholastic population, p. 12, sec. 9, subsec. 5.  
Secretary of County Board, p. 12, sec. 9, subsec. 6.  
Observe directions of State Superintendent, p. 12, sec. 9, subsec. 7.  
Keep records of official acts and boundaries of school districts, p. 12, sec. 9, subsec. 8.  
Countersign certain warrants, p. 12, sec. 9, subsec. 9.  
Must sign warrants in ink, p. 12, sec. 9, subsec. 9.  
Keep record of countersigned warrants, p. 13, sec. 9, subsec. 10.  
May recommend pupils for normal schools, p. 8, sec. 55, subsec. 7.  
Report warrants countersigned, p. 13, sec. 9, subsec. 10.  
Not to teach, contract, or buy school warrants, pp. 13 and 14, sec. 10, subsecs. 1 and 2.  
May appoint members of County Board, p. 14, sec. 11, subsec. 1.  
May appoint members of advisory board, p. 14, sec. 11, subsec. 2.  
May appoint arbor day, p. 14, sec. 11, subsec. 2.  
To be present when trustee makes settlement, p. 31, sec. 45b.  
To make quarterly reports to State Superintendent, p. 31, sec. 45c.  
Financial report, p. 31, sec. 45c.  
To report loss or misuse of funds, p. 31, sec. 45e.  
Misdemeanor to fail to make reports, p. 32, sec. 45g.  
When to report, p. 12, sec. 9, subsec. 7.  
May appoint persons to make report, p. 12, sec. 9, subsec. 3.  
Contracts as to school property, p. 13, sec. 10, subsec. 1.  
Penalties and forfeitures, p. 14, sec. 10, subsec. 2; p. 23, secs. 23 and 24; p. 32, sec. 45g.  
Salary, p. 10, sec. 8, subsec. 1.  
County Trustee must report to him, pp. 30, 31, 32, secs. 45a, 45b, 45c, 45d, and 45e.  
To furnish teachers names of children of school age, p. 91, sec. 6.  
To give written notice to parents of absent children of school age, p. 91, sec. 6.

#### COUNTY TRUSTEE.

Apportionment from Comptroller, p. 30, sec. 44.  
Balance not redistributed, p. 30, sec. 42.  
Bond, p. 22, sec. 44.  
Compensation, p. 22, sec. 44.  
Certify to amounts collected, p. 22, sec. 44.  
County school tax retained and distributed, p. 29, sec. 40.  
Disbursed by warrant of County Board, p. 16, sec. 8, subsec. 1.  
Duties as to high school fund, p. 40, sec. 11.

- Duties in Bank of Tennessee issue, p. 29, sec. 43, 44.
- Liability, p. 23, sec. 45.
- Penalties, p. 13, sec. 9, subsec. 9a; p. 23, sec. 45.
- Report to County Superintendent, p. 22, sec. 43, and p. 30, sec. 45b.
- Report distribution to directors, p. 30, sec. 45a.
- State poll tax retained and distributed, p. 28, sec. 36.
- State school tax retained and distributed, p. 29, secs. 38 and 39.
- School money kept separate, p. 22, sec. 43; p. 23, sec. 45.
- To distribute money quarterly, p. 30, sec. 45a.
- To make annual settlement, p. 30, sec. 45b.
- To settle quarterly, p. 30, sec. 45a.
- Warrants for maps, charts, etc., to be approved before payment, p. 13, sec. 9, subsec. 9a.

#### COURSE OF STUDY.

- Primary, p. 25, sec. 32, subsec. 2.
- Secondary, p. 25, sec. 32, subsec. 3.
- High school course, p. 72, sec. 5.

#### DECISIONS.

- Supreme Court, classified, pp. 109, 110 and 111.

#### DEPOSITORIES OF TEXT-BOOKS.

- One in each grand division, p. 50, sec. 8.
- One to four in each county, p. 50, sec. 8.
- Contractor may arrange with merchants, p. 50, sec. 8.
- May order books by mail, etc., pp. 50, 51, sec. 8.
- Books to be sold at price printed thereon, p. 51, sec. 8.

#### DIRECTOR OF LIBRARY EXTENSION.

- Office with State Superintendent, p. 75, sec. 6.
- Duties, p. 75, sec. 6.

#### DISBURSEMENT OF FUNDS.

- Normal school, by State Board of Education, p. 9, sec. 55, subsec. 11.

#### DISTRIBUTION SCHOOL FUNDS.

- Permanent school fund, p. 27, sec. 34; p. 28, sec. 35.
- General education fund, p. 69, sec. 1.

#### DISTRICT DIRECTORS.

- Office abolished, p. 3, sec. 2.

#### DIPLOMAS.

- From normal schools exempts holders from examinations, p. 8, sec. 55, subsec. 8.
- Pupils completing secondary course, p. 27, sec. 32, subsec. 3.

#### EDUCATIONAL FUND.

- Apportionment of general fund, p. 70; sec. 2.

#### EDUCATIONAL INSTITUTIONS.

- Exempt from taxes, p. 63, sec. 1.

#### ENUMERATOR OF SCHOLASTIC POPULATION.

- Secretary of Advisory Board, p. 19, sec. 14, subsec. 4.
- Time to enumerate, p. 19, sec. 14, subsec. 4.
- Must file affidavit, p. 19, sec. 14, subsec. 4.
- City Board and Advisory Board to report, p. 19, sec. 14, subsec. 4.

#### EXAMINATIONS.

- County Superintendents, p. 9, sec. 55, subsec. 12.
- Teachers of primary and secondary schools, p. 12, sec. 9, subsec. 4.
- County high school teachers, p. 73, sec. 5.
- Who are exempt, p. 9, sec. 55, subsec. 8.
- Uniform examination and certification of teachers, p. 20, sec. 1; pp. 99 to 107, inclusive.

#### EXAMINERS.

- Chairman, County Court may appoint, p. 10, sec. 8.
- State Superintendent may appoint, p. 5, sec. 7, subsec. 7.
- State Board may appoint, p. 73, sec. 5.
- State Board of Examiners, p. 104, sec. 7.

#### EXPENDITURE OF NORMAL SCHOOL FUNDS.

- State Board of Education, p. 9, sec. 55, subsec. 11.

#### FEMALE SCHOOLS.

- Not to be disturbed, p. 35, sec. 1.
- Not to loiter around, p. 35, sec. 2.

#### FORFEITURES.

- For failure to observe text-book law, p. 46, sec. 3.
- For paying teachers without certificate, p. 20, sec. 26.
- For teachers not using adopted text-books, p. 53, sec. 14.
- For agents who violate text-book law, p. 53, sec. 15.
- For non-attendance, p. 89, sec. 2.
- shall go to district where offense was committed, p. 24, sec. 25.

#### FORMS.

- Distributed by State Superintendent, p. 5, sec. 7, subsec. 6.

#### FUNDS.

- Comptroller apportions annual State fund, p. 30, sec. 44.
- County to levy additional school tax, p. 29, sec. 39.
- Permanent fund and its proceeds, p. 28, sec. 35.
- State school taxes, pp. 28 and 29.
- General school fund, p. 69, sec. 1.
- To supplement County Superintendent's salary, p. 71, sec. 4.
- High school fund, p. 72, sec. 5.
- Surplus high school fund, p. 74, sec. 5.
- Public school library fund, p. 74, sec. 6.
- Circulating library fund, p. 76, sec. 6.
- Normal school, p. 76, sec. 7.
- Agricultural and Industrial School, p. 76, sec. 7.
- University of Tennessee, p. 80, sec. 8.
- Experiment station, p. 80, sec. 8.
- Donations by bond issue by county or city, to normal schools, pp. 67, 68, 69, secs. 1 to 5.
- Poll tax, p. 28, sec. 36.
- School taxes, pp. 28 and 29.

#### GENERAL EDUCATION LAW.

- Amendment to, pp. 94-98.
- Apportionment of funds, p. 70, sec. 2.
- Circulating libraries, p. 76, sec. 6.
- Counties entitled to participate in distribution of ten per cent, p. 70, sec. 3.
- Disbursement of funds, p. 80, sec. 7.
- Experiment stations, p. 80, sec. 8.
- Fund to equalize school terms, p. 70, sec.



- High school fund, p. 72, sec. 5.
- High school teachers to be examined, p. 73, sec. 5.
- Inspector of high schools, p. 73, sec. 5.
- Location of normal schools, p. 78, sec. 7.
- Management of normal schools, p. 78, sec. 7.
- Normal Course of Study, p. 78, sec. 7.
- Public school library fund, p. 74, sec. 6.
- Report of County Superintendents, p. 72, sec. 4.
- Report to State Superintendent, p. 81, sec. 9.
- School for negroes, p. 79, sec. 7.
- State Superintendent to certify apportionment to Comptroller, p. 72, sec. 4.
- State Board to grade high schools, p. 72, sec. 5.
- State Board to adopt regulations for disbursements high school fund, p. 73, sec. 5.
- State Board to issue library list, p. 75, sec. 6.
- State normal schools, p. 72, sec. 7.
- State normal school graduates, p. 78, sec. 7.
- State University scholarships, p. 81, sec. 8.
- Supplement County Superintendent's salary, p. 71, sec. 4.
- Surplus high school fund to revert, p. 74, sec. 5.
- Traveling expenses students to University paid, p. 80, sec. 8.
- University of Tennessee appropriation, p. 80, sec. 8.
- Reports to State Superintendent, p. 81, sec. 9.
- GOVERNOR.**
  - President State Board of Education, p. 7.
  - Approve bond of State Superintendent, p. 10, sec. 55, subsec. 6.
  - Proclamation of text-books adopted, p. 50, sec. 7.
- HIGH SCHOOL INSPECTOR.**
  - Office with State Superintendent, p. 73, sec. 5.
  - Duties, p. 73, sec. 5.
- HIGH SCHOOLS.**
  - May be established, p. 37, sec. 1.
  - Fund kept separate, p. 37, sec. 2.
  - Academies may transfer property, pp. 61, 62.
  - Branches taught, p. 52, sec. 11.
  - How fund is distributed, p. 73, sec. 5.
  - To be graded, p. 72, sec. 5.
  - Teachers to hold certificates, p. 73, sec. 5.
  - State aid for industrial work, p. 74, sec. 5.
- INDUSTRIAL WORK IN HIGH SCHOOLS.**
  - State aid for, p. 74, sec. 5.
- LIBRARIES.**
  - State fund to assist in establishing, p. 74, sec. 6.
  - How State aid may be obtained, p. 74, sec. 6.
  - Amount a library may receive, p. 75, sec. 6.
  - Director of Library Extension, p. 75, sec. 6.
  - Preference given to certain counties, p. 75, sec. 6.
  - Regulations to be made by State Board of Education, p. 75, sec. 6.
  - State Board to furnish list of books, p. 75, sec. 6.
  - Purchase of books reported to County Superintendents, p. 76, sec. 6.
- No commission allowed County Trustee' p. 76, sec. 6.
- One-fifth of library fund to be used for circulating libraries, p. 76, sec. 6.
- LIBRARIES, CIRCULATING.**
  - One-fifth of library fund to be used, p. 76, sec. 6.
- LIBRARY COMMISSION.**
  - Created, p. 64, sec. 1.
  - Duties, p. 65, sec. 3.
  - Records, p. 64, sec. 2.
  - Meetings, p. 65, sec. 4.
  - Quorum, p. 65, sec. 4.
- LICENSE.**
  - Teachers, p. 20, sec. 1; p. 26, sec. 32, subsec. 5; pp. 99 to 107, inclusive.
  - High school teachers, p. 73, sec. 5.
  - County Superintendents, pp. 10, 11.
- MANUSCRIPTS.**
  - Text-Book Commission may consider, p. 49, sec. 6.
- MAYOR AND ALDERMEN.**
  - May buy, erect, and furnish schoolhouses, p. 33, sec. 52, subsec. 2.
  - May levy additional school tax for buildings, p. 34, sec. 52, subsec. 3.
  - Shall appoint board of education, p. 34, sec. 52, subsec. 4.
  - May issue and sell normal school bonds, p. 66, sec. 3.
- MISDEMEANOR.**
  - To violate text-book law, p. 53, secs. 13, 14, 15.
  - To disturb female schools, p. 35, sec. 1.
  - For paying teachers without certificate, p. 20, sec. 26.
  - For non-attendance, p. 89, sec. 3.
  - For evasion or failure to comply with compulsory attendance law, p. 89, sec. 3.
  - For giving information as to examinations, p. 105, sec. 7.
- MIXED SCHOOLS.**
  - Not allowed, p. 9, sec. 55, subsec. 10; p. 34, sec. 52, subsec. 5.
- NORMAL SCHOOLS.**
  - Authorized, p. 7, sec. 55, subsec. 1.
  - Purpose of, p. 76, sec. 7.
  - Location, p. 76, sec. 7; p. 78, sec. 7.
  - Who may attend, p. 76, sec. 7.
  - Funds, p. 76, sec. 7.
  - Admission of pupils, p. 8, sec. 55, subsec. 6.
  - State Board to locate, adopt course of study, and elect teachers, p. 7, sec. 55, subsec. 2.
  - County and City Superintendents to recommend pupils, p. 8, sec. 55, subsec. 7.
  - Diplomas exempt teachers from examination, p. 8, sec. 55, subsec. 8.
  - Reports to be made to State Superintendent, p. 9, sec. 55, subsec. 9.
  - Teachers to keep record, p. 9, sec. 55, subsec. 9.
  - White and colored pupils to go to different schools, p. 9, sec. 55, subsec. 10.
  - Practice and observation school, p. 77, sec. 7.
  - Teachers to assist in Institute work, p. 77, sec. 7.
  - Pupils must make pledge to teach, p. 78, sec. 7.
  - Management of, p. 78, sec. 7.
  - Course of study, p. 84, sec. 7.

Graduates of, p. 78, sec. 7.  
 Donations, p. 79, sec. 7.  
 Disbursement of funds, p. 80, sec. 7.  
 Agricultural and Industrial, for negroes,  
 p. 79, sec. 7.  
 Counties and cities may donate bonds for  
 location, pp. 66, 67, secs. 1 to 5.

#### OFFICERS.

To deliver records to successors, p. 23,  
 sec. 24.  
 Must take oath, Supreme Court decisions,  
 p. 111, XII.  
 Must not contract or pay teachers without  
 license, p. 20, sec. 27.  
 Penalties and forfeitures, p. 24, sec. 25.  
 Attendance officers to be elected, p. 91,  
 sec. 7.  
 Qualifications of attendance officers, p. 91,  
 sec. 7.  
 Duties of attendance officers, p. 91, sec. 6;  
 p. 92, sec. 7.

#### PEABODY NORMAL COLLEGE.

Trustees, p. 8, sec. 55, subsec. 4.

#### PENALTIES AND FORFEITURES.

For paying teachers without certificate,  
 p. 20.  
 Teachers who do not use adopted book,  
 p. 53, sec. 14.  
 Agents who violate text-book law, p. 53,  
 sec. 15.  
 Non-attendance of pupils, p. 89, sec. 3.  
 For all school officers, pp. 23, 24.  
 For County Superintendent, p. 32, sec.  
 45g; p. 10, sec. 8.  
 State Superintendent, p. 4, sec. 5.  
 County Trustee, p. 23, sec. 45.  
 Shall go to district where offense was com-  
 mitted, p. 24, sec. 25.  
 For evasion or failure to comply with  
 Compulsory Attendance Law, p. 89,  
 sec. 3.

#### PEOPLE.

May vote on school tax, p. 29, sec. 39.  
 Elect members County Board of Educa-  
 tion, p. 55, sec. 4.  
 Elect members of District Advisory Board,  
 p. 58, sec. 13.

#### PRACTICE AND OBSERVATION SCHOOL.

State Board of Education may contract  
 for, p. 77, sec. 7.

#### PROPERTY.

County Board of Education to control,  
 p. 18, sec. 10, subsec. 9; p. 57, sec. 9.

#### PUBLISHERS.

Must defray expenses of manuscript, p. 49,  
 sec. 6.

#### PUPILS.

School age, p. 6, sec. 7, subsec. 13; p. 24,  
 sec. 30; p. 88, sec. 1.  
 Compulsory attendance, p. 88, sec. 1.  
 Exemptions from attendance, p. 88, sec. 2.  
 Provisions for indigent children, p. 89,  
 sec. 2.  
 May be admitted to town schools by con-  
 sent, p. 111, X.  
 May be suspended by county and district  
 board, p. 19, sec. 14, subsec. 5; p. 57, sec.  
 10, subsec. 7.  
 Suspension by teacher, p. 21, sec. 4.  
 Suspension by District Advisory Board,  
 p. 19, sec. 5; p. 59, sec. 5.

Certificates, p. 27, sec. 32, subsec. 2.  
 Diplomas, p. 27, sec. 32, subsec. 3.  
 White and colored not to be taught in same  
 school, p. 24, sec. 30.  
 May be recommended for admission to  
 University of Tennessee, p. 81, sec. 8.  
 County Boards to make provision for  
 transportation, p. 86, sec. 2.

#### RECORDS.

State Superintendent to keep, p. 6, sec. 7,  
 subsec. 11.  
 County Superintendent to keep, p. 12,  
 sec. 9, subsec. 8.  
 Secretary County Board of Education to  
 keep, p. 16, sec. 8, subsec. 3.  
 Teachers to keep register, p. 21, sec. 2; p.  
 100, sec. 2.  
 County Trustee to keep separate accounts,  
 p. 29, sec. 41.  
 Normal schools to keep, p. 9, sec. 55, sub-  
 sec. 9.  
 County Trustee to keep record of high  
 school fund, p. 40, sec. 11.  
 Of children of school age to be made, p. 91,  
 sec. 6.  
 Of absentees to be made, p. 91, sec. 6.

#### REPORTS.

When made, p. 12, sec. 9, subsec. 7.  
 District Advisory Board, p. 19, sec. 14,  
 subsec. 3.  
 Secretary of County Board to County  
 Court, p. 16, sec. 8, subsec. 2.  
 County Board to receive monthly report,  
 p. 17, sec. 10, subsec. 5.  
 County Superintendent's annual to State  
 Superintendent, p. 5, sec. 7, subsec. 8.  
 County Superintendent's annual to County  
 Court, p. 12, sec. 9, subsec. 7.  
 County Superintendent's annual to County  
 Trustee, p. 12, sec. 9, subsec. 5.  
 County Trustee's report to County Super-  
 intendent, p. 30, sec. 45b.  
 County High School Board to report, p.  
 39, sec. 9.  
 Schools aided by State to report, p. 81,  
 sec. 9.  
 Secretary Advisory Board to report census,  
 p. 59, sec. 14, subsec. 4.  
 State Superintendent's biennial report to  
 Governor, p. 6, sec. 7, subsec. 13.  
 State Superintendent's report of scholastic  
 population to Comptroller, p. 6, sec. 7,  
 subsec. 12.  
 State Superintendent may appoint person  
 to make report, p. 5, sec. 7, subsec. 9.  
 State Superintendent may require report  
 of an officer, p. 5, sec. 7, subsec. 8.

#### REQUIREMENTS.

To bid for text-book contract, p. 44, sec. 2.

#### SCHOLASTIC POPULATION.

Duty of Secretary of Advisory Board, p.  
 19, sec. 14, subsec. 4.  
 Duty of County Superintendent, p. 12,  
 sec. 9, subsec. 5.  
 Duty of State Superintendent, p. 6, sec. 7,  
 subsec. 12.  
 Duty of City Board of Education, p. 19,  
 sec. 14, subsec. 4.

#### SCHOOL AGE.

Children between the ages of six and  
 twenty-one, p. 6, sec. 7, subsec. 13; p.  
 24, sec. 30; p. 88, sec. 1.

**SCHOOL DISTRICTS.**

- Created for the purpose of electing members of the County Board, p. 14, sec. 2; p. 56, sec. 2.
- Adjacent to incorporated towns, p. 32, sec. 45g.
- May purchase property inside of corporations, p. 32, sec. 45, subsec. g.
- Number and how created, p. 14, sec. 2.

**SCHOOL FUND.**

- Comptroller apportions State fund annually, p. 30, sec. 44.
- County to levy additional school tax, p. 29, sec. 39.
- Permanent fund and its proceeds, p. 28, sec. 35.
- State school taxes, pp. 28, 29.
- General school fund, p. 69, sec. 1.
- To supplement County Superintendent's salary, p. 71, sec. 4.
- Surplus high school fund, p. 72, sec. 5.
- School library fund, p. 74, sec. 6.
- Circulating library fund, p. 76, sec. 6.
- Normal school fund, p. 76, sec. 7.
- Agricultural and Industrial Normal, p. 79, sec. 7.
- University of Tennessee, p. 80, sec. 8.
- Experiment Station fund, p. 80, sec. 8.
- Donations, bond issue by county or city, pp. 66, 67, 68, secs. 1 to 5.
- Poll tax, p. 28, sec. 36.
- People may vote on tax, p. 29, sec. 39.
- Distribute to counties levying certain tax, p. 70, sec. 3.
- Distribution on basis of scholastic population, p. 70, sec. 2.
- Bank of Tennessee issue, p. 29, sec. 43.
- Unexpended balance, p. 29, sec. 42.
- Penalty of Trustee, p. 23, sec. 45.
- District Advisory Board to draw order, p. 59, sec. 14, subsec. 6.
- Secretary County Board to draw warrant, p. 56, sec. 8, subsec. 1.

**SCHOOL LAW.**

- State Superintendent to print and distribute, p. 5, sec. 7, subsec. 6.

**SCHOOL OFFICERS.**

- Oath, p. 111, Supreme Court decision, XII.
- Must not contract or pay teachers without license, p. 20; p. 24, sec. 24.
- Must deliver records to successors, p. 23, sec. 24.
- Penalties and forfeitures, p. 24, sec. 25.
- Attendance Officers, p. 91, sec. 6; pp. 91, 92, sec. 7.

**SCHOOL PROPERTY.**

- County Board of Education to control property, p. 18, sec. 10, subsec. 9; p. 57, sec. 10, subsec. 9.

**SCHOOLS.**

- System established, p. 3, sec. 1.
- How long to be kept open, p. 29, sec. 39.
- Separate for white and colored, p. 24, sec. 30.
- Who may attend free, p. 24, sec. 30.
- Term of school, p. 24, sec. 30.
- Two classes of schools, p. 25, sec. 32.
- Consolidated schools, p. 27, sec. 33.
- Agricultural schools, p. 80, sec. 8.
- State Normal Schools, p. 7, sec. 55, subsec. 1; pp. 76, 77, 78, 79, 80, sec. 7.
- Model school, p. 77, sec. 7.
- State negro school, p. 79, sec. 7.

- Branches of study, pp. 25, 26, sec. 32, subsecs. 2 and 3.
- High schools, pp. 72, 73, 74, sec. 5.
- To be managed and controlled by County Board of Education, p. 54, sec. 1.
- Grading, p. 26, sec. 32, subsec. 1 under subsec. 6.
- Branches of study, pp. 25, 26, sec. 32, subsecs. 2 and 3.
- Certificates and diplomas, p. 27, sec. 32, subsecs. 2 and 3.
- Secondary schools to have more than one teacher, p. 25, sec. 32, subsec. 3.
- Must teach effect of alcohol and tobacco, p. 26, sec. 32, subsec. 4.
- County schools to run same length of time, p. 24, sec. 30.
- Daily attendance, minimum to be fixed by County Board of Education, p. 24, sec. 30; p. 57, sec. 10, subsec. 3.
- To be located by County Board of Education, p. 57, sec. 10, subsec. 4.
- Truancy Schools may be established, p. 92, sec. 8.

**SCHOOL WARRANTS.**

- Drawn by Secretary of County Board, p. 16, sec. 8, subsec. 1.
- Shall be written in ink, p. 12, sec. 9, subsec. 9.
- Shall be countersigned, p. 12, sec. 9, subsec. 9.
- Trustee's duty and liability, p. 13, sec. 9, subsec. 9a.

**SECRETARY OF COUNTY BOARD.**

- Duties, p. 12, sec. 9, subsec. 6; p. 15, sec. 3; p. 16, sec. 8.
- Accounts to be audited, p. 17, sec. 8, subsec. 2.
- To keep record of meetings, p. 17, sec. 8, subsec. 3; p. 56, sec. 8, subsec. 3.
- Must give bond, p. 17, sec. 9.

**STATE BOARD OF EDUCATION.**

- Appointment and term, p. 7.
- Governor ex officio member, p. 7.
- Prescribe rules and regulations for the examination of County Superintendents, p. 9, sec. 55, subsec. 12.
- State Superintendent to be secretary and treasurer, p. 9, sec. 55, subsec. a.
- Secretary to disburse high school fund, p. 73, sec. 5.
- State Superintendent as Secretary of State Board of Education to make bond, p. 10, sec. 55, subsec. b.
- Secretary to keep record of normal school funds, p. 10, sec. 55, subsec. a.
- To apportion ten per cent of general education fund, p. 70, sec. 3.
- To report on condition of normal schools, p. 7, subsec. a.
- To inspect management of State Normal Schools, p. 7, subsec. b.
- To locate normal schools, p. 77, sec. 7.
- To audit accounts of normal schools, p. 7, subsec. b.
- To make biennial reports, p. 7, subsec. b.
- To adopt course and elect teachers, p. 7, sec. 55, subsec. 2.
- To receive donations from trustees of Peabody Education Fund and other sources, p. 8, sec. 55, subsec. 4.
- May receive property from trustees of other institutions, p. 8, sec. 55, subsec. 5.
- To prescribe how applications for State High School Fund shall be made, p. 73, sec. 5.



- To adopt course of study and employ teachers and other officers, p. 7, sec. 55, subsec. 2.
  - To employ bookkeeper, p. 78, sec. 7.
  - Adopt regulations for disbursing high school fund, p. 73, sec. 5.
  - Expenses, p. 9 sec. 55, subsec. 11.
  - Shall prescribe mode of examination of high school teachers, p. 73, sec. 5.
  - Shall employ high school inspector and fix salary, p. 73, sec. 5.
  - Disbursements made by treasurer upon order of Board, p. 9, sec. 55, subsec. 11.
  - Shall prescribe minimum course for high schools, p. 72, sec. 5.
  - Organization, duties and powers, pp. 7, 8, 9, 10.
  - May provide for practice and observation schools, p. 77, sec. 7.
  - City boards and district directors may contract with State Board for teaching children of school age, p. 77, sec. 7.
  - May require instructors of normal schools to conduct teachers' institute, p. 77, sec. 7.
  - To manage and control normal schools, p. 78, sec. 7.
  - To establish Agricultural and Industrial Normal School for negroes, p. 79, sec. 7.
  - To grade high schools, p. 72, sec. 5.
  - Report to legislature through State Superintendent and Governor, p. 7, subsec. a.
  - May grant diplomas to normal school graduates, p. 8, sec. 55, subsec. 8.
  - To issue approved list of library books, p. 75, sec. 6.
  - May employ a Director of Library Extension, p. 75, sec. 6.
- STATE HIGH SCHOOL INSPECTOR.**  
 Selected by State Board, p. 73, sec. 5.  
 Office in State Superintendent's office, p. 73, sec. 5.  
 Duties of, p. 73, sec. 5.

#### STATE SUPERINTENDENT.

- Qualification, p. 3, sec. 3.
- Appointment, p. 3, sec. 3.
- Term of office, p. 4, sec. 4.
- To make bond for performance of his duty as Secretary of State Board of Education, p. 10, sec. 55, subsec. b.
- Member State Board of Education, p. 4, sec. 4, subsec. 2.
- Shall certify to Comptroller salary due County Superintendents, p. 72, sec. 4.
- Member of all State educational bodies, p. 4, sec. 4, subsec. 3.
- Secretary and Treasurer State Board of Education, p. 4, sec. 4, subsec. 4.
- How removed from office, p. 4, sec. 5.
- Location of office, p. 4, sec. 6.
- To collect and disseminate certificates, p. 4, sec. 7, subsec. 1.
- To inspect the public schools, p. 4, sec. 7, subsec. 2.
- May suspend schools for conference, p. 4, sec. 7, subsec. 3.
- To have school law executed, p. 5, sec. 7, subsec. 4.
- Furnish forms for report, p. 5, sec. 7, subsec. 5.
- To print and supply school law, p. 5, sec. 7, subsec. 6.
- May appoint county examiners of public school work, p. 5, sec. 7, subsec. 7.
- Require report of County Superintendent, p. 5, sec. 7, subsec. 8.

- May appoint persons to make report for County Superintendent and allow compensation, p. 5, sec. 7, subsec. 9.
- Prescribe qualification of teachers and mode of examining and licensing, p. 6, sec. 7, subsec. 10.
- Preserve office documents, p. 6, sec. 7, subsec. 11.
- Report scholastic population to Comptroller, p. 6, sec. 7, subsec. 12.
- Biennial report to Governor, p. 6, sec. 7, subsec. 13.
- To furnish forms and instruction for carrying into effect the school law, p. 6, sec. 7, subsec. 14.
- To keep record of normal school funds, p. 10, sec. 55, subsec. a.
- To certify vouchers to Comptroller, p. 10, sec. 55, subsec. a.
- Suits for penalties shall be in his name, p. 24, sec. 25.
- May appoint attorney to look after collection of misused money, p. 32, sec. 45f.
- To announce text-books to County Superintendents, p. 54, sec. 10.
- Duty in grading schools, p. 26, sec. 32, subsec. 6-1.
- Duty in issuing certificates and diplomas to pupils, p. 27, sec. 32, subsec. 6-2.
- Penalties and forfeitures, pp. 23, 24.
- To issue certificates of qualification to teachers, p. 6, sec. 7, subsec. 10a; p. 101, sec. 6.

#### SUPERVISORS.

- Authorized, p. 86, sec. 3.
- Duties, p. 86, sec. 3.
- Qualifications, p. 87, sec. 3.
- State aid for, p. 70, sec. 3.

#### SUPREME COURT.

- Decisions in school cases, pp. 109, 110, 111.

#### TAXES.

- Poll and school, pp. 28, 29.
- How collected and distributed, p. 29, sec. 40.
- Educational institutions exempt, p. 63, sec. 1.
- County to levy additional, p. 29, sec. 39.
- People may vote, p. 29, sec. 39.

#### TAXING DISTRICTS.

- Of the second class, p. 34, sec. 54.

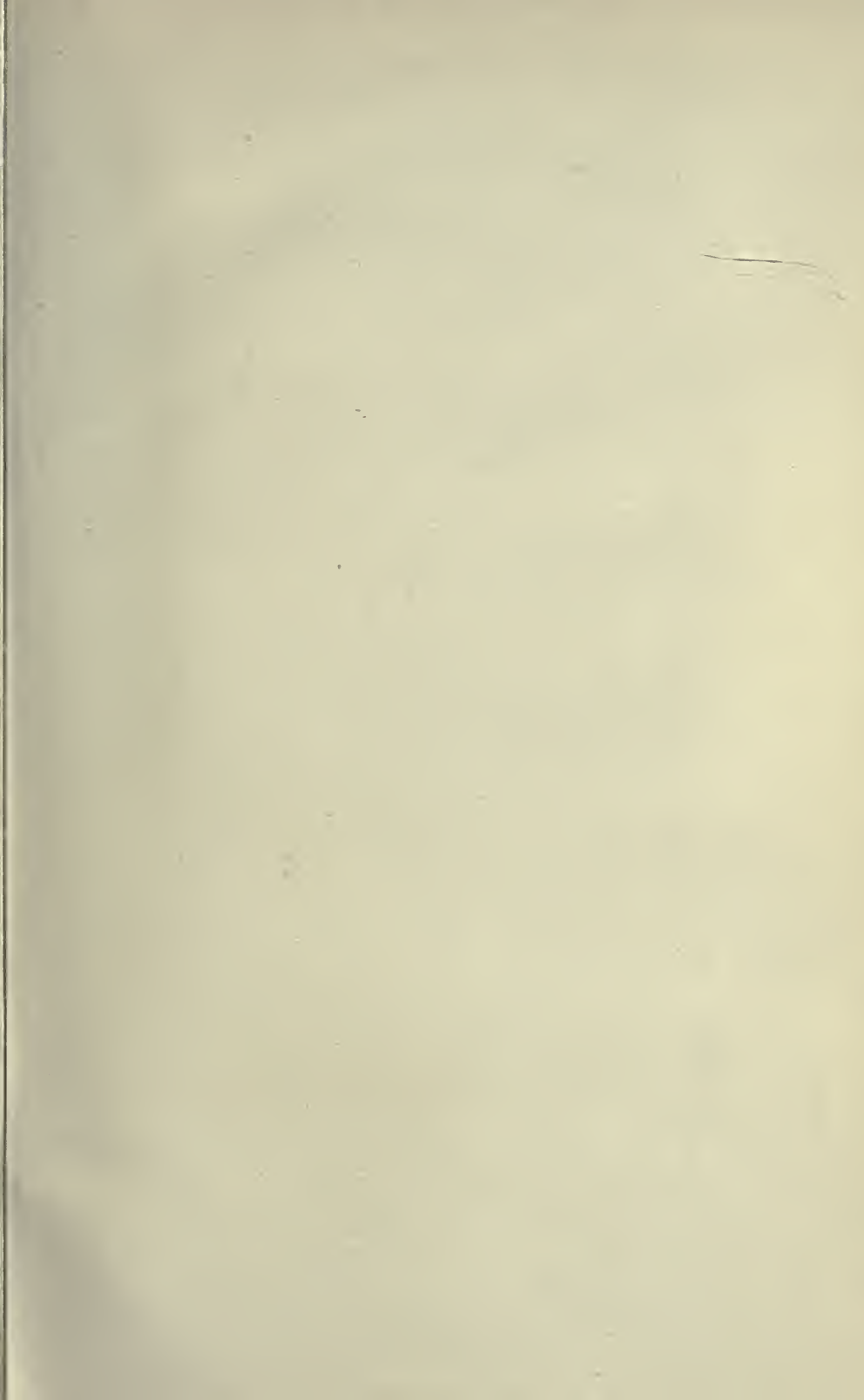
#### TEACHERS.

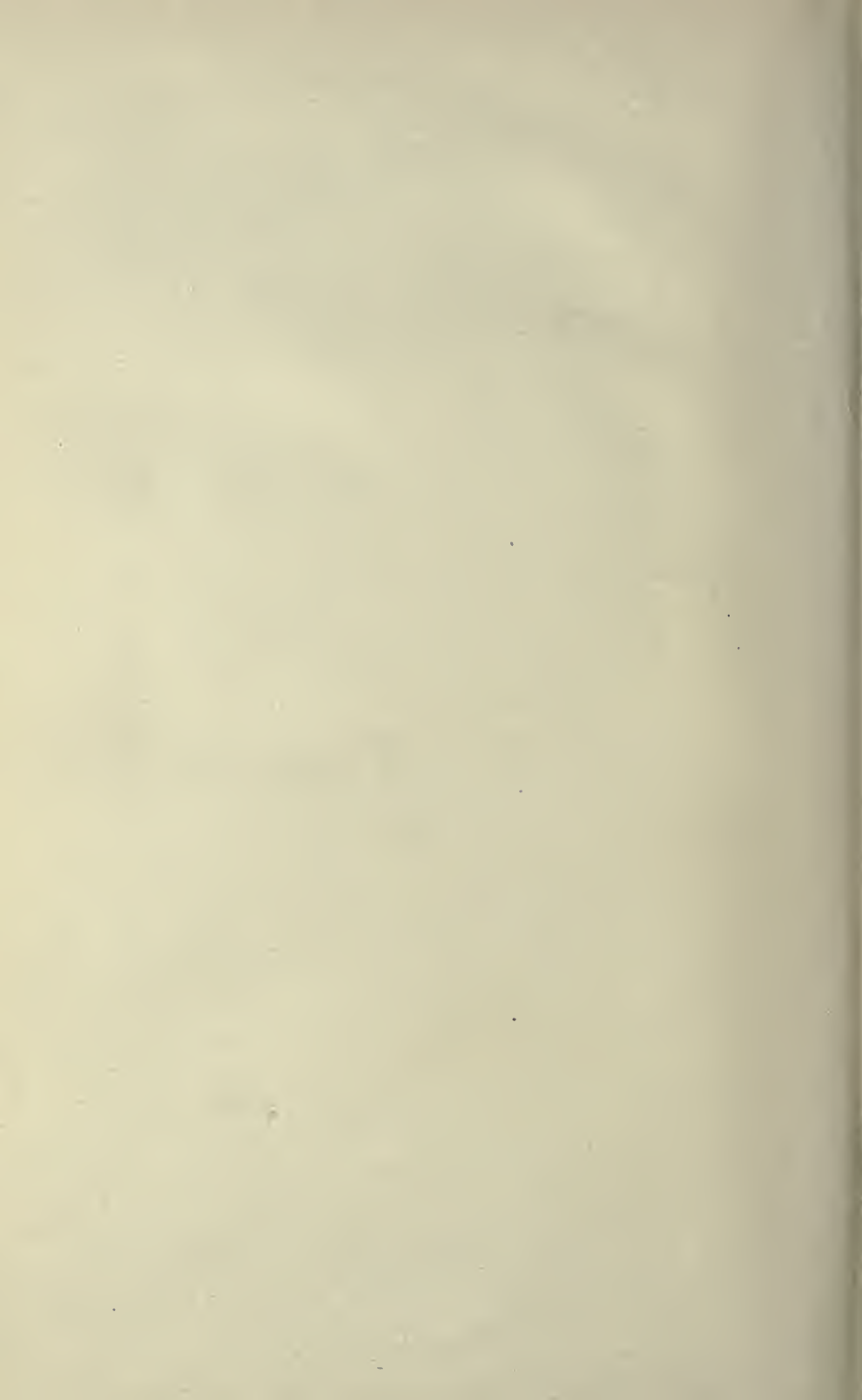
- Must have certificate of qualification, p. 20; p. 6, sec. 7, subsec. 10a; p. 99, sec. 1; p. 101, sec. 6.
- Age qualification, p. 20; p. 99, sec. 1.
- Moral qualifications, p. 20, sec. 1; p. 99, sec. 1.
- Must have written contract, p. 21, sec. 3; p. 100, sec. 3.
- Must have knowledge of effects of narcotics and alcoholic drinks, p. 26, sec. 32, subsec. 5.
- Must not be addicted to narcotics or intoxicants, p. 20, sec. 1; p. 99, sec. 1.
- Shall report absences, p. 91, sec. 6.
- Must give written notice to parent, p. 91, sec. 5.
- To keep register, p. 21, sec. 2; p. 100, sec. 2.
- Must deliver register to County Superintendent, p. 21, sec. 2; p. 100, sec. 2.
- May suspend pupils, p. 21, sec. 4; p. 100, sec. 4.
- Shall not be agent, p. 23, sec. 23.

- Examinations provided, p. 6, sec. 7, subsec. 10.
  - Diplomas from State Normal Schools, p. 8, sec. 55, subsec. 8.
  - Employment by County Board of Education, p. 56, sec. 10, subsec. 2.
  - Payment of salary, p. 57, sec. 10, subsec. 5.
  - To make reports to County Board of Education, p. 57, sec. 10, subsec. 5.
  - Certificate of health may be required of, p. 21; p. 100, sec. 1.
  - Supervisors authorized, p. 86, sec. 3.
  - Duties of supervisors, p. 86, sec. 3.
  - Qualifications of supervisors, p. 87, sec. 3.
  - State aid for supervisors, p. 70, sec. 3.
  - To report names of absent children of school age to superintendents, p. 91, sec. 6.
  - Uniform examination and certification required, pp. 99 to 107, inclusive.
  - Must attend county institutes or summer normal, p. 101, sec. 5.
- TEXT-BOOK BOND.**  
Recoveries on, p. 47, sec. 3.
- TEXT-BOOK COMMISSION.**  
Created, p. 41, sec. 1.  
Members, how appointed, p. 41, sec. 1.  
Term of office, p. 41, sec. 1.  
Compensation, p. 53, sec. 17.  
To appoint sub-commission, p. 42, sec. 1.  
Organization, p. 44, sec. 2.  
To consider bids for text-books, p. 49, sec. 6.  
Procedure of, p. 45, sec. 3.  
Requirement of bidders, p. 44, sec. 2.  
Consideration of bids, p. 45, sec. 3.  
May consider manuscripts, p. 49, sec. 6.  
To adopt uniform books, p. 41, sec. 1.  
Certain branches of study, p. 41, sec. 1.  
To advertise for bids, p. 44, sec. 2.  
To require cash deposit, p. 49, sec. 6.  
May reject bids and readvertise, p. 49, sec. 6.  
Contract with publishers, p. 45, sec. 3.  
To prevent charging excess, p. 48, sec. 5.
- TEXT-BOOK SUB-COMMISSION.**  
How selected, p. 41, sec. 1.  
Must take oath, p. 43, sec. 1.  
Duties of, p. 42, sec. 1.  
Compensation of members, p. 53, sec. 17.
- TEXT-BOOKS.**  
To be sold at contract price, p. 51, sec. 8.  
Contract for five years, p. 52, sec. 9.  
Adopted books to be used exclusively, p. 52, sec. 11.
- When other books may be used, p. 53, sec. 12.  
Governor to issue proclamation when adoptions are made, p. 50, sec. 7.  
State Superintendent to notify County Superintendent of adoption, p. 52, sec. 10.  
Attorney General to prepare contract, p. 45, sec. 3.  
Prices not to exceed those charged elsewhere, p. 47, sec. 4.  
As to higher branches, p. 52, sec. 11.  
State not liable to contractor, p. 48, sec. 5.  
To have price printed on them, p. 47, sec. 4.  
Must come up to sample, p. 47, sec. 4.  
To be exchanged, p. 48, sec. 5.
- TRANSPORTATION OF PUPILS.**  
County Boards to make provision for, p. 86, sec. 2.  
State aid for, p. 71, sec. 3.
- TREE PLANTING.**  
Arbor Day appointed by County Superintendent, p. 14, sec. 11, subsec. 2.  
Public exercises, p. 14, sec. 11, subsec. 2.
- TRUANCY SCHOOLS.**  
May be established, p. 92, sec. 8.
- TRUSTEES OF ACADEMIES.**  
May transfer property to county boards of education or county high school boards, pp. 61, 62.  
Trust ceases and board dissolves, p. 62, sec. 2.
- UNIFORM EXAMINATION OF TEACHERS.**  
Law governing, pp. 99-107.
- UNIVERSITY OF TENNESSEE.**  
Appropriation, p. 80, sec. 8.  
Traveling expenses of students, p. 80, sec. 8.  
Report to State Superintendent, p. 81, sec. 9.  
Courses free, p. 81, sec. 8.  
Industrial department, p. 81, sec. 8.  
Experiment station, p. 80, sec. 8.  
Scholarships, p. 81, sec. 8.
- WARRANTS.**  
Drawn by Secretary of County Board, p. 16, sec. 8, subsec. 1.  
To be written in ink, p. 12, sec. 9, subsec. 9.  
To be countersigned, p. 12, sec. 9, subsec. 9.  
Trustee's duty and liability, p. 13, sec. 9, subsec. 9a.



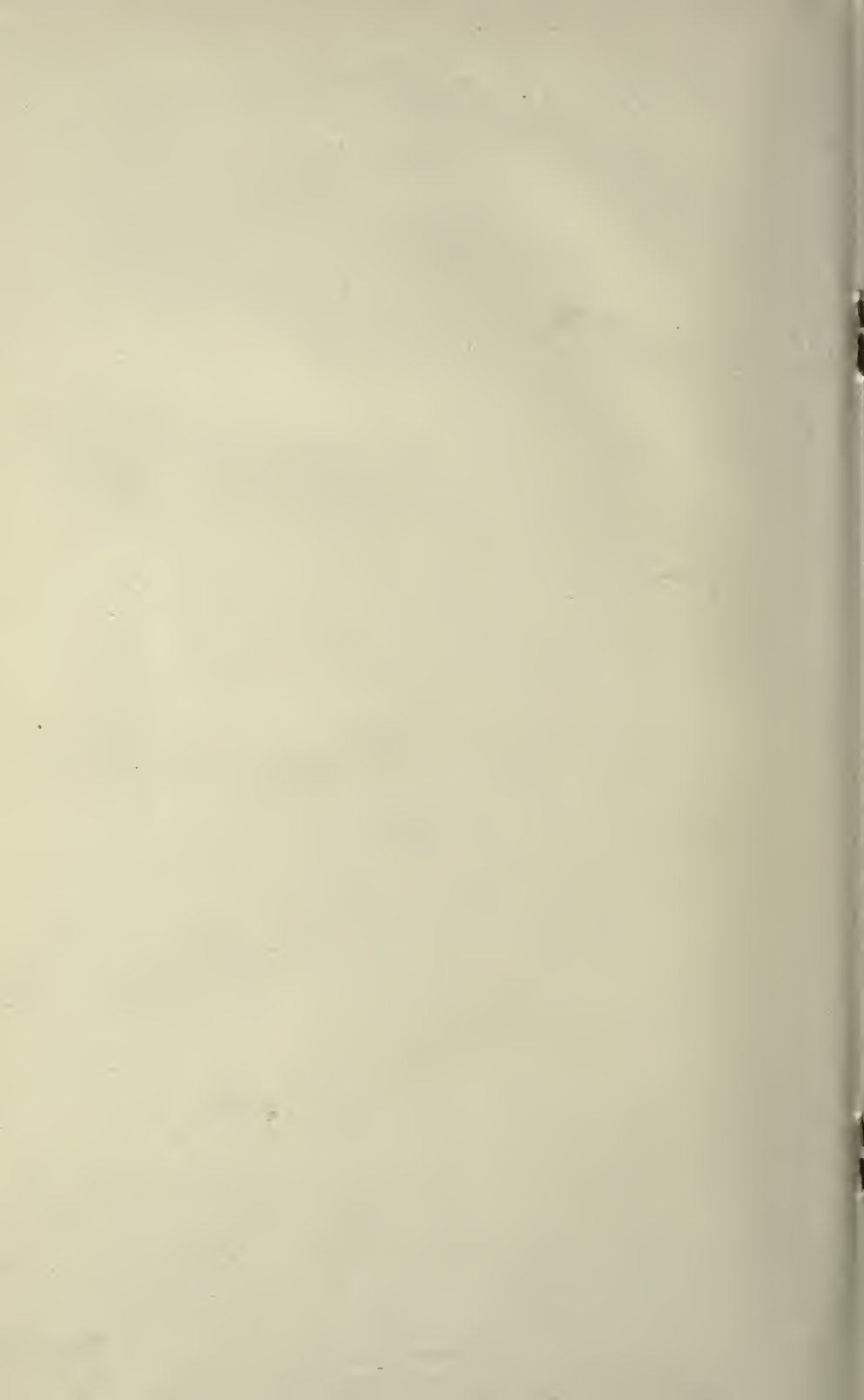


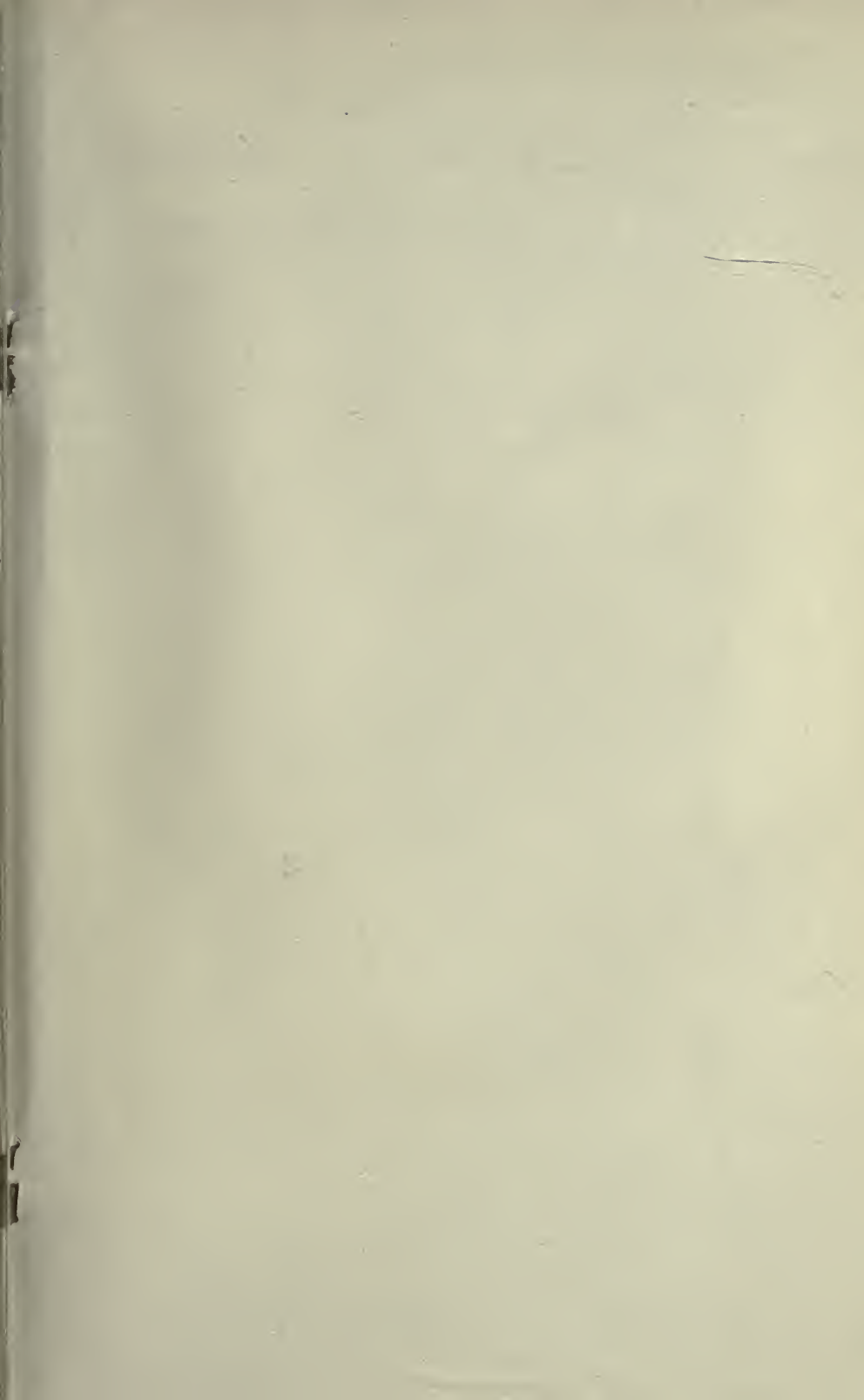












UNIVERSITY OF CALIFORNIA LIBRARY

THIS BOOK IS DUE ON THE LAST DATE  
STAMPED BELOW

MAR 27 1915

SEP 12 1918

MAR 19 1923

MAR 29 1927

30m-1,'15



YC 0658

Gaylord Bros.  
Makers  
Syracuse, N. Y.  
PAT. JAN. 21. 1908

293961

7  
J. B. 1000000  
252529  
T23  
1913

UNIVERSITY OF CALIFORNIA LIBRARY

