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1921 Education Funding Bill. State of Tennessee 62nd General Assembly.

Tennessee General Assembly

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PUBLIC ACTS

—OF THE—

STATE OF TENNESSEE


—PASSED BY THE—

Sixty-Second General Assembly

1921

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1921

tricts in the State of Tennessee without regard to population or number of inhabitants thereof.

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enacted*, That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 4, 1921.

W. W. BOND,
Speaker of the Senate.

ANDREW L. TODD,
Speaker of the House of Representatives.

Approved.

Governor.

Passed the Senate, the objection or veto of the Executive to the contrary notwithstanding, on April 8, 1921.

W. W. BOND,
Speaker of the Senate.

HARRY A. WILSON,
Chief Clerk of Senate.

Passed the House, the objection or veto of the Executive to the contrary notwithstanding, on April 8, 1921.

ANDREW L. TODD,
Speaker of the House of Representatives.

J. D. GREEN,
Chief Clerk of the House of Representatives.

CHAPTER NO. 118.

SENATE BILL No. 856.

(By Messrs. Tucker, Cooper, Patton and Cummings.)

AN ACT entitled An Act for the improvement of the System of Public Schools of Tennessee by providing for the apportionment and distribution of all school funds of the State already provided by law; to amend Chapter 25 of the Acts of 1873, creating a permanent school fund which was ascertained and declared by Section 946 of Shannon's Code; to amend Chapter 264 of the Acts of 1909 and Acts amendatory thereof; to amend Chapter 111 of the Acts of 1919; to combine all of the school funds of the State into one fund to be hereafter known as the State School Fund; to provide for the apportionment of certain parts of the State School fund on the basis of average daily attendance; to prescribe reports to be made by school officials and to provide for penalties for false reports; to provide additional revenue for the elementary schools of the State and for the disbursement of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the permanent school fund, provided in Section 34 of Chapter 25 of the Acts of 1873, the same being "An Act to establish and maintain a uniform system of public schools," and the General Education fund provided in Chapter 264 of the Acts of 1909, the same being an Act entitled "An Act to provide for the improvements 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

School fund,
apportionment of

nance 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; and Acts amendatory thereof, the same being Chapter 23 of the Acts of 1913, entitled "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," and Chapter 35 of the Acts of 1915, entitled "An Act to amend Chapter 264 of the printed Acts of the General Assembly of 1909, being entitled, "An Act to provide for the improvement of the system of Public Education of the State of Tennessee, etc. 'And commonly known as the General Education Bill,' " by providing for the establishment and maintenance of a school of Technology in Tennessee, to be known as the "Tennessee Polytechnic Institute;" and the Elementary School Fund provided in Section 6, Chapter 111 of the Acts of 1919, the same being entitled, "An Act for the improvement of the system of public education of the State of Tennessee, providing an increase of the revenue therefor, and for the disbursement of a part of the school funds now received under the provisions of Chapter 264 of the Acts of 1909, and Acts amendatory thereof," be and the same are hereby combined into one fund to be known thereafter as the State School fund, to be apportioned and distributed according to provisions herein set forth.

SEC. 2. *Be it further enacted*, That for the year beginning July 1, 1921, and annually thereafter, the sum of \$475,000, or such part thereof as may be necessary, shall be used as an equalizing fund, to be distributed among the Counties, \$6,000 to each County; provided that Counties receiving this fund shall levy for elementary school purposes a tax sufficient to produce the sum of \$5.00 for each child of school age in the County, as shown by the school census for the year previous; Provided that if a levy of thirty cents on the One Hundred Dollars assessed valuation of property for elementary schools in any County does not produce as much as five (\$5.00) dollars per child of school age. Such County shall receive its proportionate share of school funds as set forth in this Act. Provided, further, that no County shall participate in this fund unless all schools are in session at least one hundred days; \$100,000, or such part thereof as may be necessary, for the purpose of encouraging and aiding consolidation of schools and the supervision of teaching, the same to be distributed under regulations of the State Board of Education; \$95,000.00 or such part thereof as may be necessary, to assist the Counties of the State to pay adequate salaries to County Superintendents, each County in the State to receive from this fund an amount equal to that which is paid by the County, provided that no County shall receive from this fund more than \$1,000 in any one year, and that no County shall receive any part of this fund unless it pay the County Superintendent as much as \$500.00 on his yearly salary out of the County funds; and provided further, that any County Superintendent receiving any part of the fund, as herein provided, shall devote all of his time to the duties of his office, and that no part of the State supplement shall be paid until the County Superintendent shall have made all reports required of him by the State Superintendent; and such a sum for vocational education as is required to meet the provisions of Chapter 179 of the Acts of 1919; and the remainder of the State School Fund shall be distributed among

School fund,
how distributed

School session
100 days

Teachers' salary fund

County Superintendent

Normal Schools the various school agencies of the State as follows: 4 1-2 per cent to each of the Normal Schools for white teachers; 12 1-2 per cent to assist the Counties of the State to establish and maintain public high schools, which fund shall be distributed among the Counties as follows: \$1,000 to each County and the balance in proportion to the average daily attendance in public County High Schools; provided that any expenses of maintaining the State High School department, not otherwise provided for, shall be paid out of this fund before the above distribution is made; 3 per cent to the Tennessee Polytechnic Institute at Cookeville; 2 3-4 per cent to the Agricultural and Industrial Normal School for negroes; 1 per cent to encourage and assist in the establishment and maintenance of libraries in public schools, as provided in Section 6, Chapter 264 of the Acts of 1909, and the amendatory Act, Chapter 23 of the Acts of 1913; 1 1-4 per cent to encourage teacher training in Public County High Schools; 66 per cent to be apportioned among the Counties of the State each year in proportion to the average daily attendance in the elementary school of the several Counties for the previous year, provided, that the first apportionment on the basis of average daily attendance shall be made in July, 1922; and, provided, further, that the average daily attendance shall be ascertained by dividing the total number of days that all pupils attended school by the number of days were in session.

High School Fund

Tennessee Polytechnic, A. & I. N. School

School Libraries

Teacher training

SEC. 3. *Be it further enacted*, That any portion of the equalizing fund or fund for supplementing County Superintendents' salaries not used in any year shall revert to the State School Fund for distribution among the Counties as hereinafter provided.

Apportionment in proportion to average daily attendance

SEC. 4. *Be it further enacted*, That after paying the apportionment from the State School Fund, as provided in Section 2 of this Act, and the salaries and operating and administrative expenses of the State Department of Education, the remainder of

the State School Fund shall be apportioned among the Counties each year in proportion to the average daily attendance in the elementary schools of the several Counties for the previous year, provided that the first apportionment on basis of average daily attendance shall be made July, 1922, and provided further, that the average daily attendance shall be ascertained by dividing the total number of days present by all pupils by the number of days the schools were in session.

SEC. 5. *Be it further enacted*, That a tax of three cents on each One Hundred Dollars of taxable property of the State be and the same is hereby levied for the year 1921, and each succeeding year thereafter for the purpose of improving the elementary schools of the State, which tax shall be in addition to the State tax for school purposes now provided by law. Said three cents to be collected as other State taxes are now collected, and when so collected shall be paid into the State treasury by the County Trustee or other collecting agency to be apportioned and distributed as follows:

Elementary school tax, distribution of

1. Two Thousand Dollars (\$2,000.00) to each of the ninety-five Counties of the State.
2. The remainder of said fund to be distributed to the several Counties of the State upon the ratio that the average daily attendance of pupils in the elementary schools in any County bears to the average daily attendance of all pupils in the elementary schools in the State.

SEC. 6. *Be it further enacted*, That Superintendents of City Schools and Superintendents or Principals of Special District Schools shall certify to the County Superintendent, on or before July 1, of each year, the average daily attendance in the schools of his city or special district—elementary and high schools separately for the previous school year, and that County Superintendent shall certify to the County Trustee, on or before July 15, of each year, the average daily attendance of the schools, element-

Superintendents, report of

ary and high schools separately—under his direction and of the city and special district schools as certified to him as above provided; and that the County Trustee shall apportion all elementary school funds, State and County, among the schools of County, City and Special Districts, in proportion to the average daily attendance as thus certified to him.

County Superintendent to certify average daily attendance

SEC. 7. *Be it further enacted*, That the County Superintendents shall certify to the State Superintendent on or before August 1 of each year, the average daily attendance of all schools in his County—Elementary and County High Schools separately and the average daily attendance in all elementary schools of cities and special districts of his County, and the State Superintendent shall certify to the Comptroller the average daily attendance in the several Counties of the State for the apportionment of part of the State School Fund as provided in Section 3 of this Act.

SEC. 8. *Be it further enacted*, That all reports of City Superintendents, of Superintendents or Principals of Special Districts and of County Superintendents on the average daily attendance shall be accompanied by affidavit from said official that the reports are correct; provided, that any school official, teacher, municipal, or Superintendent making false reports as to average daily attendance shall be guilty of a misdemeanor and subject to fine of not less than \$50.00 nor more than \$100.00.

SEC. 9. *Be it further enacted*, That if any section or part of this Act shall be declared unconstitutional, the invalidity of such part or section shall not otherwise affect the constitutionality of this Act.

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

Passed April 7, 1921.

W. W. BOND,
Speaker of the Senate.

ANDREW L. TODD,
Speaker of the House of Representatives.

Approved April 9, 1921.

A. A. TAYLOR,
Governor.

CHAPTER NO. 119.

SENATE BILL No. 866.

(By Mr. Cummings and Others.)

AN ACT entitled An Act to provide for the election of County Superintendents by the County Board of Education, and to authorize said Board to fix their salaries; to provide for a supplement to be paid by the State and the fund from which paid; and to provide certain qualifications for eligibility for the examination for a certificate qualifying for the position of County Superintendent.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That in each County of the State the County Superintendent, shall be elected by the County Court for a term of four years; provided, that this Act shall not change the method of election of County Superintendent in those Counties where the Superintendent is elected by popular vote.

SEC. 2. *Be it further enacted*, That before being eligible to take the examination to secure a certificate qualifying for the position of County Superintendent, as required by Chapter 54 of the Acts of 1895, the applicant for such certificate shall present