

SUPREME COURT OF MISSISSIPPI

Lawrence County School District v. Peggy Bowden

Bowden · No. No. 2004-CC-00556-SCT · Decided January 21, 2004

SUMMARY

The Supreme Court of Mississippi held that the chancery court erred by sua sponte declaring the Education Employment Procedures Law unconstitutional and dismissing Peggy Bowden’s appeal from a school board decision not to renew her employment contract. The court held that appeals from school board decisions fall within the chancery court’s jurisdiction over matters in equity, declared the statutory scheme constitutional, and reversed and remanded for limited judicial review.

CASE DETAILS

COURT	Supreme Court of Mississippi
WRITING FOR THE COURT	Waller, Presiding Justice; Waller, P.J.; Smith, C.J.; Cobb, P.J.; Carlson, J.; Graves, J.; Dickinson, J.; Randolph, J.; Easley, J.; Diaz, J.
JURISDICTION	Mississippi
DECIDED	January 21, 2004
DOCKET	No. 2004-CC-00556-SCT
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The parties jointly appealed the Lawrence County Chancery Court's sua sponte dismissal of Bowden's appeal from a school board nonrenewal decision. The chancery court dismissed for lack of jurisdiction after declaring the Education Employment Procedures Law unconstitutional.
STANDARD OF REVIEW	The chancery court's review of the school board decision is limited to the record made before the board or hearing officer and asks whether the action was unsupported by substantial evidence, arbitrary or capricious, beyond the agency's power, or in violation of a statutory or constitutional right. The Supreme Court reviewed the chancellor's legal and constitutional ruling de novo.
PRECEDENTIAL VALUE	Published, precedential Mississippi Supreme Court opinion
PARTIES	Lawrence County School District, Peggy Bowden v. Lawrence County School District, Peggy Bowden

TOPICS

judicial review of agency action

agency adjudication

administrative law

appellate procedure

constitutional law

PRACTICE AREAS

administrative law

education law

employment law

constitutional law

appellate procedure

QUESTIONS PRESENTED

1. Whether the chancery court erred by sua sponte considering and deciding the constitutionality of the Education Employment Procedures Law when neither party pleaded the issue.
2. Whether Mississippi Code sections 37-9-101 to 37-9-113 unconstitutionally confer jurisdiction on chancery courts to review final school board decisions concerning school employees.

HOLDINGS

1. A court may not consider the constitutionality of a statute unless the issue is specifically pleaded; the chancery court exceeded its powers by raising and deciding the statute's constitutionality sua sponte.
2. The Education Employment Procedures Law is constitutional, and chancery courts have jurisdiction to review final school board decisions involving aggrieved school employees.

KEY QUOTATIONS

“The issues are framed, formed and bounded by the pleadings of the litigants. The Court is limited to the issues raised in the pleadings and the proof contained in the record.” (§5)

“We declare that it is constitutional and reverse the chancellor’s judgment and remand this case to the chancery court for the limited purpose of reviewing whether the decision not to renew Bowden’s contract was supported by substantial evidence, was arbitrary and capricious, was beyond the power of the administrative agency to make, or was in violation of Bowden’s statutory or constitutional rights.” (§10)

FACTUAL BACKGROUND

The Lawrence County School District hired Peggy Bowden as a guidance counselor for the 1999-2000 school year and later notified her that it would not renew her contract. Bowden requested a factual basis and a hearing, which the District provided; the school board affirmed the nonrenewal, and Bowden appealed to chancery court under the Education Employment Procedures Law.

PROCEDURAL HISTORY

Lawrence County School District declined to renew Bowden's guidance-counselor contract. After receiving a factual basis and a hearing before the school board, Bowden appealed the board's decision to the Lawrence County Chancery Court under the Education Employment Procedures Law. The chancery court, without either party raising constitutionality, declared the statute unconstitutional and dismissed the appeal; the Mississippi Supreme Court reversed and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The chancery court must review whether the school board's decision not to renew Bowden's contract was supported by substantial evidence, was arbitrary or capricious, was beyond the power of the administrative agency to make, or violated Bowden's statutory or constitutional rights.

CASES CITED

- City of Jackson v. Lakeland Lounge of Jackson, Inc., 688 So. 2d 742, 749-50 (Miss. 1996)
- State ex rel. Carr v. The Cabana Terrace, Inc., 247 Miss. 26, 153 So. 2d 257, 260 (1963)
- Witt v. Mitchell, 437 So. 2d 63, 66 (Miss. 1983)
- S. Leisure Homes, Inc. v. Hardin, 742 So. 2d 1088, 1090 (Miss. 1999)
- Mississippi Municipal Liability Plan v. Jordan, 863 So. 2d 934, 940-41 (Miss. 2003)
- Lawrence County School District v. Brister, 823 So. 2d 459, 460-61 (Miss. 2001)
- Cowart v. Simpson County Sch. Bd., 818 So. 2d 1176 (Miss. 2002)
- Harris v. Canton Separate Public School Board of Education, 655 So. 2d 898, 903 (Miss. 1995)
- Noxubee County Sch. Bd. v. Cannon, 485 So. 2d 302 (Miss. 1986)
- DeSoto County Sch. Bd. v. Garrett, 508 So. 2d 1091 (Miss. 1987)
- Claiborne County Bd. of Educ. v. Martin, 500 So. 2d 981, 984-85 (Miss. 1986)
- Clancy's Lawn Care & Landscaping, Inc. v. Miss. State Bd. of Contractors, 707 So. 2d 1080, 1082 (Miss. 1997)