

SUPREME COURT OF SOUTH DAKOTA

Reynolds v. Douglas School District #51-1 and Douglas Board of Education

2004 SD 129 (2004) · No. No. 23042 · Decided December 15, 2004

SUMMARY

The Supreme Court of South Dakota affirmed summary judgment for Douglas School District in a dispute over the reassignment of a teacher from head high school track coach to middle school assistant track coach. The court held that the circuit court lacked jurisdiction because the superintendent, rather than the school board, had authority under the collective bargaining agreement to make the transfer. It also held that Reynolds had not exhausted the agreement's grievance procedure, which remained pending.

CASE DETAILS

COURT	Supreme Court of South Dakota
WRITING FOR THE COURT	Rusch, Circuit Judge; Gilbertson, Chief Justice; Konenkamp, Justice; Zinter, Justice; Meierhenry, Justice; Rusch, Circuit Judge, for Sabers, Justice, disqualified
JURISDICTION	South Dakota
DECIDED	December 15, 2004
DOCKET	No. 23042
DISPOSITION	affirmed
PROCEDURAL POSTURE	Reynolds appealed from an order granting the school district's motion for summary judgment in his appeal from the school board's transfer decision.
STANDARD OF REVIEW	Summary judgment is reviewed on appeal; the disposition turned on jurisdiction and exhaustion of administrative remedies.
PRECEDENTIAL VALUE	Published opinion; precedential
PARTIES	Robert Reynolds v. Douglas School District #51-1, Douglas Board of Education

TOPICS

collective bargaining

exhaustion of remedies

appellate jurisdiction

employment contracts

summary judgment

PRACTICE AREAS

employment law

labor law

administrative law

civil procedure

QUESTIONS PRESENTED

1. Whether the circuit court had jurisdiction to review the school board's approval of Reynolds's transfer when the collective bargaining agreement vested transfer authority in the superintendent rather than the school board.
2. Whether Reynolds's appeal was jurisdictionally defective because he had not exhausted the collective bargaining agreement's grievance procedure.

HOLDINGS

1. The circuit court lacked jurisdiction to review a substantive transfer decision by the school board because the collective bargaining agreement vested transfer authority in the superintendent and contained no provision authorizing school-board approval or review of transfers.
2. Reynolds's failure to exhaust the four-step grievance procedure deprived the circuit court of jurisdiction because the grievance remained pending before the Department of Labor when he filed the appeal.

KEY QUOTATIONS

"It is a settled rule of judicial administration that 'no one is entitled to judicial relief for a supposed or threatened injury until the prescribed administrative remedy has been exhausted.' Failure to exhaust remedies is a jurisdictional defect." (§ 10)

FACTUAL BACKGROUND

Reynolds was a middle school teacher and longtime head high school track coach employed by Douglas School District under a collective bargaining agreement. The agreement authorized the superintendent to assign, reassign, or transfer teachers after a required conference, and Reynolds's coaching evaluations had identified performance concerns. In May 2002, after the District abandoned non-renewal proceedings, the superintendent transferred Reynolds to middle school assistant track coach at the same pay, and the school board approved the transfer. Reynolds filed a grievance but had not completed the fourth and final step before filing his circuit-court appeal.

PROCEDURAL HISTORY

The school district transferred Reynolds from head high school track coach to middle school assistant track coach under the collective bargaining agreement, while maintaining his salary. Reynolds pursued the agreement's grievance procedure but filed a circuit-court appeal before completing it. The circuit court granted summary judgment to the District, finding the action was a transfer governed by the negotiated agreement. The Supreme Court of South Dakota affirmed, but on the alternative ground that the circuit court lacked jurisdiction because

the school board lacked authority to review the superintendent's transfer decision and because Reynolds had not exhausted the grievance procedure.

DISPOSITION

affirmed

CASES CITED

- In Re Appeal from Decision of Yankton County Commission, 2003 SD 109, ¶ 21, 670 N.W.2d 34, 41
- Small v. State, 2003 SD 29, ¶ 16, 659 N.W.2d 15, 18-19
- Jansen v. Lemmon Federal Credit Union, 1997 SD 44, ¶ 7, 562 N.W.2d 122, 124

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