

Brooks Pierce Attorneys Secure Win in School Board Discrimination Lawsuit

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Brooks Pierce attorneys Beth Langley and Sarah Saint recently secured a significant win for Brooks Pierce client Iredell-Statesville Schools Board of Education. A lawsuit had been filed against the school board by an educator who alleged that she was not hired for four different administrative positions because of her race. The judge granted a motion for summary judgment in favor of the school board, finding the plaintiff did not provide sufficient evidence to show the board acted in a discriminatory manner.

Marlene B. Scott, an African American educator, joined the Iredell-Statesville school system in 1999 as a teacher at East Iredell Middle School. From 1999 to 2011, she held various teaching and administrative positions in the school system before leaving to become an elementary school principal in Alleghany County. In the summer of 2014, Scott applied for jobs back in the Iredell-Statesville school system wanting to be closer to home. When she was unable to find an administrative job, she accepted a position as a teacher at West Iredell Middle School, where she taught until 2018 when she was named assistant principal at West Iredell High School.

Scott filed a charge of race discrimination with the Equal Employment Opportunity Commission (EEOC) in August 2016 and received a "Notice of Right to Sue" letter in January 2018. In April 2018, she filed her initial lawsuit alleging claims of racial discrimination for failure to promote and retaliation under Title VII. The board of education moved to dismiss the suit arguing that the statute of limitations had passed on some of the failure to promote claims and the retaliation claims were beyond the EEOC charge. Scott amended her initial suit in August 2018 and again in September 2018, narrowing the focus to four specific positions for which she applied in the summers of 2016 and 2017 but was not selected. Each of the positions was ultimately filled by a white male or female.

Langley and Saint argued on behalf of the Iredell-Statesville Schools Board of Education that Scott could not show the school board intentionally discriminated against her based on her race or that the board's reasons for denying her the promotions were a pretext for discrimination. They also said in the four cases in which she alleged discrimination, she

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could not prove she was materially more qualified than the selected candidates; and, when she was the most qualified candidate, she was promoted.

U.S. District Judge Kenneth D. Bell granted summary judgment in favor of the Iredell-Statesville Schools Board of Education.