

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF  
ILLINOIS, SPRINGFIELD DIVISION

Alonzo C. DeCarlo v. Lincoln Land Community College

DeCarlo · No. 25-cv-3295 · Decided April 15, 2026

SUMMARY

The United States District Court for the Central District of Illinois considered Lincoln Land Community College’s motion to dismiss Alonzo C. DeCarlo’s First Amended Complaint alleging race discrimination and retaliation under Title VII. The court found that the complaint adequately pleaded race discrimination and retaliation based on the denial of tenure, but lacked allegations concerning exhaustion of administrative remedies and did not adequately plead constructive discharge. The court dismissed the First Amended Complaint without prejudice and granted DeCarlo 21 days to file a Second Amended Complaint.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                   |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Central District of Illinois, Springfield Division                                                                                                                                                                                                                           |
| WRITING FOR THE COURT | Colleen R. Lawless                                                                                                                                                                                                                                                                                                |
| JURISDICTION          | United States District Court for the Central District of Illinois, Springfield Division                                                                                                                                                                                                                           |
| DECIDED               | April 15, 2026                                                                                                                                                                                                                                                                                                    |
| DOCKET                | 25-cv-3295                                                                                                                                                                                                                                                                                                        |
| DISPOSITION           | dismissed                                                                                                                                                                                                                                                                                                         |
| PROCEDURAL POSTURE    | Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss Plaintiff's First Amended Complaint asserting Title VII race-discrimination and retaliation claims.                                                                                                                                     |
| STANDARD OF REVIEW    | On a Rule 12(b)(6) motion, the court assesses whether the complaint states a plausible claim for relief and gives the defendant fair notice of the claim and its grounds, accepting well-pleaded allegations as true and construing a pro se complaint liberally while still requiring compliance with Rule 8(a). |
| PRECEDENTIAL VALUE    | Unknown                                                                                                                                                                                                                                                                                                           |
| PARTIES               | Alonzo C. DeCarlo v. Lincoln Land Community College                                                                                                                                                                                                                                                               |

## TOPICS

title vii

racial discrimination

retaliation

constructive discharge

motions to dismiss

## PRACTICE AREAS

employment law

civil rights

civil procedure

## QUESTIONS PRESENTED

1. Whether the First Amended Complaint adequately alleged exhaustion of Title VII administrative remedies.
2. Whether the complaint plausibly stated a Title VII race-discrimination claim under Rule 8(a) and Rule 12(b)(6).
3. Whether the complaint plausibly stated a Title VII retaliation claim based on the denial of tenure after Plaintiff complained of racial discrimination.
4. Whether Plaintiff adequately alleged constructive discharge as a materially adverse action.

## HOLDINGS

1. The First Amended Complaint was deficient because it did not allege that Plaintiff filed a charge with the EEOC or received a right-to-sue letter. Plaintiff was granted leave to amend to allege exhaustion.
2. The complaint plausibly stated a Title VII race-discrimination claim because it alleged that Plaintiff, a Black man, suffered adverse employment actions and identified similarly situated non-Black faculty members who were treated more favorably.
3. The complaint plausibly stated a Title VII retaliation claim based on the alleged denial of tenure after Plaintiff complained to College administrators that he believed he was being treated differently because he was Black.
4. Plaintiff did not adequately allege constructive discharge because the alleged circumstances did not show that termination was imminent and inevitable or that the working conditions were so intolerable that he was forced to quit.

## KEY QUOTATIONS

*“before a plaintiff can bring any Title VII claim, he “must first exhaust his administrative remedies by filing charges with the [Equal Employment Opportunity Commission (“EEOC”)] and receiving a right to sue letter.””* (at 2)

*“The complaint plainly states that Plaintiff, a Black man, was subjected to adverse action, including “selective audits, heightened scrutiny, withholding of evaluation standards, mischaracterization of conduct, and denial of tenure””* (at 4)

*“The Seventh Circuit recognizes two forms of constructive discharge: an employee’s resignation due to 1) discriminatory harassment “more egregious than that required for a hostile work environment claim,” or 2) acts from an employer that communicate “to a reasonable employee that she will be terminated.””* (at 6)

## FACTUAL BACKGROUND

Alonzo C. DeCarlo, a Black man, was employed by Lincoln Land Community College as a probationary faculty member for seven academic semesters. He alleged that the College subjected him to selective audits, heightened scrutiny, withheld evaluation standards, mischaracterized his conduct, and denied him tenure based on race and protected activity. He further alleged that he raised concerns about racial discrimination at an October 16, 2023 meeting, after which promised follow-up meetings did not occur, scrutiny intensified, and he ultimately resigned.

## PROCEDURAL HISTORY

Plaintiff filed a First Amended Complaint alleging race discrimination, retaliation, and constructive discharge arising from his probationary employment and denial of tenure. Defendant moved to dismiss. The court dismissed the First Amended Complaint without prejudice, granted the plaintiff 21 days to file a Second Amended Complaint addressing administrative-exhaustion and other deficiencies, and otherwise denied the motion in part because the race-discrimination and retaliation allegations were sufficient to survive dismissal at the pleading stage.

## DISPOSITION

dismissed

## CASES CITED

- *Anderson v. United Airlines, Inc.*, 140 F.4th 385, 390 (7th Cir. 2025)
- *Prince v. Stewart*, 580 F.3d 571, 573-74 (7th Cir. 2009)
- *Rush v. McDonald's Corp.*, 966 F.2d 1104, 1110 (7th Cir. 1992)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Swanson v. Citibank, N.A.*, 614 F.3d 400, 404 (7th Cir. 2010)
- *Erickson v. Pardus*, 551 U.S. 89, 94 (2007)
- *Pearle Vision, Inc. v. Room*, 541 F.3d 751, 758 (7th Cir. 2008)
- *McNeal v. United States*, 508 U.S. 106, 113 (1993)
- *Kaminski v. Elite Staffing, Inc.*, 23 F.4th 774, 776-78 (7th Cir. 2022)
- *Carlson v. CSX Transportation, Inc.*, 798 F.3d 819, 827 (7th Cir. 2015)
- *Thomas v. JBS Green Bay, Inc.*, 120 F.4th 1335, 1336-37 (7th Cir. 2024)
- *Swierkiewicz v. Sorema N.A.*, 534 U.S. 506 (2002)
- *Hatcher v. Board of Trustees of Southern Illinois University*, 829 F.3d 531, 536, 538 (7th Cir. 2016)
- *Burlington Northern & Santa Fe Railway Co. v. White*, 548 U.S. 53, 57 (2006)
- *Chapin v. Fort-Rohr Motors, Inc.*, 621 F.3d 673, 678-80 (7th Cir. 2010)
- *Pennsylvania State Police v. Suders*, 542 U.S. 129, 141 (2004)
- *Alley v. Penguin Random House*, 62 F.4th 358, 365 (7th Cir. 2023)
- *Volling v. Kurtz Paramedic Services*, 840 F.3d 378, 383, 385 (7th Cir. 2016)

- University of Texas Southwestern Medical Center v. Nassar, 570 U.S. 338, 360 (2013)
- EEOC v. Concentra Health Services, 496 F.3d 779-80, 781-82 (7th Cir. 2007)
- Tamayo v. Blagojevich, 526 F.3d 1074, 1085 (7th Cir. 2008)

## OPINION

DeCarlo

PER CURIAM.

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IN THE UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF ILLINOIS

SPRINGFIELD DIVISION

ALONZO C. DECARLO, )

Plaintiff, ) v. Case No. 25-cv-3295

LINCOLN LAND COMMUNITY

COLLEGE, )

Defendant. )

OPINION

COLLEEN R. LAWLESS, United States District Judge: Before the Court is Defendant Lincoln Land Community College's ("LLCC" or the "College") Motion to Dismiss Plaintiff Alonzo C. DeCarlo's First Amended Complaint. (Doc. 10). Plaintiff, a Black man, "was employed by LLCC as a probationary faculty member and taught both in-person and online courses over seven academic semesters." (Doc. 9 at JJ 1, 20). He alleges LLCC subjected him to discriminatory treatment based on his race and engagement with protected activities and was ultimately forced to resign from his position at the College. (Id. at 4). Specifically, Plaintiff contends he was denied materials explaining the College's evaluation standards of him and that his college course was subjected to an audit following a student's complaint. Additionally, Plaintiff claims his conduct concerning a "syllabus issue" was mischaracterized and contributed to a "disciplinary narrative" of "insubordination." (Id. at J] 5-18). Plaintiff raised his concerns of racial discrimination Page 1 of 11 at a meeting attended by his union representative, the Dean of Social Sciences and Business, and the Vice President of Academic Services. (Id. at 13-14, 19-20). Thereafter, according to Plaintiff, "promised follow-up meetings did not occur, administrative scrutiny intensified, and LLCC denied [him] tenure." (Id. at 22). He alleges " [t]he decision to deny tenure relied entirely on [his] online teaching, despite the limited number of written evaluations and [his] repeated efforts to obtain guidance and improve." (Id. at { 23). He further states, "No intervening performance deficiencies were identified," and "the stated reasons for denial were inconsistent with prior evaluations and contemporaneous acknowledgments." (Id. at J 25).

## I. DISCUSSION

A. Exhaustion of Administrative Remedies As a preliminary matter, before a plaintiff can bring

any Title VII claim, he “must first exhaust his administrative remedies by filing charges with the [Equal Employment Opportunity Commission (“EEOC”)] and receiving a right to sue letter.” *Anderson v. United Airlines, Inc.*, 140 F.4th 385, 390 (7th Cir. 2025) (citations and quotation omitted). After receiving the letter, a plaintiff has 90 days to file suit. *Prince v. Stewart*, 580 F.3d 571, 573-74 (7th Cir. 2009). The “subsequent judicial proceedings [are] limited by the nature of the charges filed with the EEOC.” *Rush v. McDonald's Corp.*, 966 F.2d 1104, 1110 (7th Cir. 1992). The First Amended Complaint does not contain any allegations that Plaintiff filed charges with the EEOC or received a right to sue letter. That deficiency alone warrants Page 2 of 11 dismissal. *Anderson*, 140 F.4th at 390. Plaintiff's response to the Motion to Dismiss, however, states that he filed a charge with the EEOC alleging race discrimination and retaliation, received a right to sue letter, and filed this action within 90 days of his receipt. Accordingly, the Court grants Plaintiff leave to file a second amended complaint to properly allege his exhaustion of administrative remedies. However, the Court will address the present allegations to provide Plaintiff an opportunity to cure any other deficiencies identified below. B. Applicable Legal Standard on Rule 12(b)(6) Motion to Dismiss A motion to dismiss brought under Federal Rule of Civil Procedure 12(b)(6) challenges the sufficiency of the complaint. *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555

(2007). A complaint must state “a short and plain statement of the claim showing that the pleader is entitled to relief.” *Id.* The claim to relief must be “plausible on its face” and “give the defendant fair notice of what the claim is and the grounds upon which it rests.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quotation omitted); *Twombly*, 550 U.S. at 555 (quotation omitted) (cleaned up). “Where a complaint pleads facts that are merely consistent with a defendant's liability,” its claim to relief falls short of plausibility. *Iqbal*, 556 U.S. at 678 (quotation omitted). In other words, the complaint “must give enough details about the subject-matter of the case to present a story that holds together.” *Swanson v. Citibank, N.A.*, 614 F.3d 400, 404 (7th Cir. 2010), Complaints filed pro se are liberally construed, *Erickson v. Pardus*, 551 U.S. 89, 94 (2007), but are not excused from Page 3 of 11 Rule 8(a)'s pleading requirements. See *Pearle Vision, Inc. v. Room*, 541 F.3d 751, 758 (7th Cir. 2008) (citing *McNeal v. United States*, 508 U.S. 106, 113 (1993)). C. Race Discrimination Plaintiff brings a claim for race discrimination under Title VII. See 42 U.S.C. § 2000e-2(a). In the context of employment discrimination generally, at the pleading stage “a plaintiff must advance plausible allegations that she experienced discrimination because of her protected characteristics.” *Kaminski v. Elite Staffing, Inc.*, 23 F.4th 774, 776 (7th Cir. 2022) (citation omitted). A court must be able to draw a “plausible inference that the adverse action suffered was connected to [Plaintiff's] protected characteristics.” *Id.* at 777 (citations omitted). The Seventh Circuit has explained that “[a] litigant's best shot at stating a plausible employment discrimination claim is to explain, in a few sentences, how she was aggrieved and what facts or circumstances lead her to believe her treatment was because of her membership in a protected class.” *Id.* at 777-78 (“[I]n the employment discrimination context, avoiding dismissal requires a

plaintiff to describe the claim in sufficient detail to give the defendant fair notice of what the claim is and the grounds upon which it rests and to allege a right to relief above a speculative level.” (internal quotation marks omitted)). Plaintiff did so here when he alleged: Plaintiff is informed and believes, and therefore alleges, that similarly situated non-Black faculty members teaching online courses within the same division, subject to the same Collective Bargaining Agreement, and supervised by the same administrative chain received student complaints during the relevant period but were not subjected to course audits, heightened scrutiny, or adverse evaluative action. Those faculty members Page 4 of 11 retained their positions and progressed through probationary review without selective audits. (Doc. 9 at § 14). LLCC contends the totality of the complaint lacks factual support to provide Defendant with fair notice of the basis of Plaintiff’s claim, how any alleged adverse conduct was based on race, and/or what the discriminatory conduct is at all. However, “evidence is not required at the pleading stage.” *Carlson v. CSX Transp., Inc.*, 798 F.3d 819, 827 (7th Cir. 2014); see also *Thomas v. JBS Green Bay, Inc.*, 120 F.4th 1335, 1336- 37 (7th Cir, 2024) (citing *Swierkiewicz v. Sorema N.A.*, 534 U.S. 506 (2002)) (“All the complaint need do is state a grievance. Details and proofs come later.”). “Employers are familiar with discrimination claims and know how to investigate them, so little information is required to put the employer on notice of these claims.” *Carlson*, 758 F.3d at 827 (citation omitted). The complaint plainly states that Plaintiff, a Black man, was subjected to adverse action, including “selective audits, heightened scrutiny, withholding of evaluation standards, mischaracterization of conduct, and denial of tenure” (Doc. 9 at 4), and provides a basis to plausibly infer those actions were connected to his race. Thus, Plaintiff has satisfied Rule 8(a)’s pleading requirements. D. Retaliation Plaintiff also brings a claim for retaliation under Title VII. See 42 U.S.C. § 2000e- 3(a). “To state a claim for Title VII retaliation, a plaintiff must plead that she engaged in a statutorily protected activity and was subjected to materially adverse actions as a result of that activity.” *Hatcher v. Bd. of Trs. of S. Ill. Univ.*, 829 F.3d 531, 536 (7th Cir. 2016) (citing *Burlington Northern & Santa Fe Ry. v. White*, 548 U.S. 53, 57 (2006)). Page 5 of 11 i. Materially Adverse Actions LLCC argues Plaintiff did not suffer any materially adverse action because he did not adequately plead a “constructive discharge.” In the retaliation context, “[t]o determine if an action is ‘materially adverse,’ [courts] ask whether the action would dissuade a reasonable worker from making or supporting a charge of discrimination.” *Chapin v. Fort-Rohr Motors, Inc.*, 621 F.3d 673, 678 (7th Cir. 2010); see also *Poullard v. McDonald*, 829 F.3d 844, 856 (7th Cir. 2016). Plaintiff alleged “[a] reasonable faculty member in [his] position would have concluded that resignation was the only viable option” (Doc. 9 at ¶ 30), leading to his own constructive discharge, but he also contends he was denied tenure. (Id. at { 26). And denial of tenure is certainly a materially adverse action. *Hatcher*, 829 F.3d at 538. Indeed, a “tangible employment action” is the “quintessential example of an adverse action.” *Chapin*, 621 F.3d at 678 (citations omitted). The Seventh Circuit recognizes two forms of constructive discharge: an employee’s resignation due to 1) discriminatory harassment “more egregious than that required for a hostile work environment claim,” or 2) acts from an employer

that communicate “to a reasonable employee that she will be terminated.” *Id.* at 679. Neither form “dispenses with the requirement that the work environment had become intolerable.” *Id.* (citing *Pa. State Police v. Suders*, 542 U.S. 129, 141 (2004)). Here, Plaintiff relies on conclusory allegations that his continued employment was “objectively unreasonable” and “resignation was the only viable option.” (Doc. 9 at 4 28-30). He alleges his constructive resignation was based on his “denial of tenure, combined with Page 6 of 11 selective scrutiny, reputational harm, and the communicated futility of further probationary remediation.” (*Id.* at § 29). But the totality of these alleged circumstances — putting aside their need for factual detail—does not “indicate that a firing here was an imminent and inevitable event,” nor that the conditions of Plaintiff’s work environment were so intolerable that he was forced to quit. *Chapin*, 621 F.3d at 679-80. Therefore, Plaintiff has not alleged a constructive discharge.

ii. Protected Activity As for Plaintiff’s alleged retaliatory denial of tenure at the College, LLCC argues he did not engage in protected activity. The complaint alleges: Plaintiff raised internal concerns regarding inequitable treatment, lack of transparency, and selective scrutiny in his evaluation and tenure process. On October 16, 2023, during a meeting attended by Plaintiff, his union representative, Kalith Smith, Dean of Social Sciences and Business, and Jason Docktor, Vice President of Academic Services, Plaintiff stated that he believed the treatment he was experiencing was occurring because he is a Black man and because his questioning of evaluation practices was perceived as challenging authority. Plaintiff’s statements constituted protected activity under Title VII. (Doc. 9 at J§ 19-21). LLCC seeks dismissal because “Plaintiff cannot unilaterally determine the legal significance of his statements [“during a single meeting”] and such legal conclusion cannot be considered in determining the sufficiency of the claim.” (Doc. 10 at 7). The Court disagrees. “Protected activity for the purposes of a Title VII retaliation claim is some step in opposition to a form of discrimination that the statute prohibits.” *Alley v. Penguin Random House*, 62 F.4th 358, 365 (7th Cir. 2023) (internal quotation marks omitted). “This only requires an employee to have a good-faith and reasonable belief that they are opposing unlawful conduct.” *Id.* (internal quotation marks omitted). Here, Plaintiff adequately alleged he engaged in protected activity when he alerted the Dean of Social Sciences and Business and the Vice President of Academic Services—in the presence of his union representative—to his concerns about racial discrimination. Therefore, Plaintiff sufficiently alleged he engaged in protected activity.

iii. Causal Connection In order to proceed, Plaintiff must be able to causally connect his engagement in protected activity to his denial of tenure. *Volling v. Kurtz Paramedic Servs.*, 840 F.3d 378, 383, 385 (7th Cir. 2016); see also *Univ. of Tex. Southwestern Med. Ctr. v. Nassar*, 570 U.S. 338, 360 (2013) (holding that “traditional principles of but-for causation” apply to Title VII retaliation claims). In this regard, under a “Retaliation and Causation” heading, Plaintiff states: Following Plaintiff’s protected activity, promised follow-up meetings did not occur, administrative scrutiny intensified, and LLCC denied Plaintiff tenure. The decision to deny tenure relied entirely on Plaintiff’s online teaching, despite the limited number of written evaluations and Plaintiff’s repeated efforts to obtain guidance and improve. The denial of

tenure occurred shortly after Plaintiff's protected activity and followed an immediate shift in administrative behavior, including intensified scrutiny and abandonment of promised remedial meetings. No intervening performance deficiencies were identified, and the stated reasons for denial were inconsistent with prior evaluations and Page 8 of 11 contemporaneous acknowledgments, supporting a plausible inference of retaliatory causation. (Doc. 9 at 4 22-25). LLCC argues the allegations “fail[] to identify any individuals or administrators within Defendant's staff who were involved in the alleged retaliatory conduct to allow Defendant to be in a position to understand and respond to the allegations against it.” (Doc. 11 at 7). However, notice pleading does not require the plaintiff to identify all facts supporting his claim, especially when those facts are in the control of the defendant or are easily ascertainable. See, e.g., *Carlson*, 758 F.3d at 827; *EEOC v. Concentra Health Servs.*, 496 F.3d 779-80 (7th Cir. 2007) (discussing notice pleading). Plaintiff's allegations stating explicitly who attended the October 16, 2023 meeting where the protected activity occurred provides Defendant with sufficient notice of his claims and the basis for said claims. (Doc. 9 at § 20). LLCC argues Plaintiff's allegation that “[t]he decision to deny tenure relied entirely on Plaintiff's online teaching” “undermines any causal connection between the alleged protected activity and the alleged adverse action, and creates confusion regarding the factual and legal basis of the claim.” (Doc. 11 at 7). Given Plaintiff's pro se status and the procedural posture of the case, the Court finds the basis for Plaintiff's retaliation claim is readily apparent and provides sufficient notice to survive the modest scrutiny of LLCC's motion to dismiss. Cf. *Tamayo v. Blagojevich*, 526 F.3d 1074, 1085 (7th Cir. 2008) (citing *Twombly*, 550 U.S. at 555; *Concentra Health Servs.*, 496 F.3d at 781-82) (finding complaint stated claim where it alleged, “Since Plaintiff began to complain about her lack Page 9 of 11 of equal pay and filing her charge of discrimination with the EEOC, Plaintiff has been subjected to adverse employment actions by Defendants in retaliation for her complaints,” and then listed several adverse actions). Plaintiff contends that instead of LLCC relying on Plaintiff's performance deficiencies— indeed, no “deficiencies were identified” —their decision was allegedly based on reasons “inconsistent with prior evaluations and contemporaneous acknowledgments” related to Plaintiff's online teaching. (Doc. 9 at | 23, 25). And, according to the allegations, “[t]he denial of tenure occurred shortly after Plaintiff's protected activity and followed an immediate shift in administrative behavior.” (Id. at J 24). Plaintiff therefore contends these circumstances support “a plausible inference of retaliatory causation” and “would not have occurred but for Plaintiff's complaints.” (Id. at J 25, p. 4). Accordingly, Plaintiff has stated a claim for retaliation based on his denial of tenure.

## II, CONCLUSION

Based on the foregoing reasons, Defendant Lincoln Land Community College's Motion to Dismiss (Doc. 10) is GRANTED in part and DENIED in part. Plaintiff Alonzo C, DeCarlo's First Amended Complaint (Doc. 9) is DISMISSED without prejudice. Plaintiff is granted leave to file a Second Amended Complaint within 21 days of the entry of this Order to cure the deficiencies

addressed in this Opinion. Failure to do so within 21 days may result in dismissal of the case with prejudice. Page 10 of 11 ENTER: April 15, 2026 Nfl: tes (be

OLUZEN RAKAWLESS

UNITED STATES DISTRICT JUDGE

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