

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)

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