

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

Christopher Draghi v. New York City Department of Education

Draghi · No. 24-cv-2920 (EK)(MMH) · Decided January 9, 2026

SUMMARY

The Eastern District of New York granted the New York City Department of Education’s motion to dismiss Christopher Draghi’s federal claims under the Americans with Disabilities Act, including discrimination, failure to accommodate, hostile work environment, and retaliation. The court held that most allegations were untimely, and that the remaining claims failed to plausibly allege causation or a sufficiently severe or pervasive hostile work environment; it declined supplemental jurisdiction over the state and city claims.

CASE DETAILS

COURT	United States District Court for the Eastern District of New York
WRITING FOR THE COURT	Eric Komitee
JURISDICTION	United States District Court for the Eastern District of New York
DECIDED	January 9, 2026
DOCKET	24-cv-2920 (EK)(MMH)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss the plaintiff’s federal Americans with Disabilities Act claims. The court granted the motion in full, dismissed the federal claims with prejudice, declined supplemental jurisdiction over the state and city claims, and dismissed those claims without prejudice.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepted well-pleaded factual allegations as true, drew reasonable inferences in the plaintiff’s favor, and considered whether the complaint stated a claim that was plausible on its face. Legal conclusions couched as factual allegations were not accepted as true.
PRECEDENTIAL VALUE	district court memorandum and order; precedential status not identified

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QUESTIONS PRESENTED

1. Whether the plaintiff's ADA claims were timely under the applicable 300-day administrative-filing period and whether the continuing-violation doctrine preserved otherwise untimely conduct.
2. Whether the complaint plausibly alleged that the plaintiff was disabled within the meaning of the ADA.
3. Whether the complaint plausibly alleged that an adverse employment action was caused by the plaintiff's disability.
4. Whether the complaint stated a timely failure-to-accommodate claim.
5. Whether the complaint plausibly alleged a severe or pervasive disability-based hostile work environment.
6. Whether the complaint plausibly alleged a causal connection between protected ADA activity and adverse employment actions for purposes of retaliation.
7. Whether the court should exercise supplemental jurisdiction over the state and city claims after dismissing the federal claims.

HOLDINGS

1. ADA claims based on discrete acts occurring outside the applicable 300-day administrative-filing periods are time-barred. The continuing-violation doctrine does not apply to discrete acts such as discipline, suspension, termination, denial of transfer, or refusal to accommodate, although timely acts may permit consideration of older conduct in a hostile-work-environment claim and as background evidence.
2. The complaint plausibly alleged that the Department regarded Draghi as having a disability, even though it did not plausibly allege that his anxiety substantially limited a major life activity under the actual-impairment prong.
3. The complaint did not plausibly allege that Draghi's disability caused his suspensions or termination, so the ADA discrimination claim was dismissed.
4. The failure-to-accommodate claim was time-barred because the only alleged accommodation request was made in June 2019 and the resulting conduct fell outside the applicable administrative-filing period.
5. The complaint did not plausibly allege a disability-based hostile work environment because the alleged criticism, discipline, and isolated remark were not sufficiently severe or pervasive and were not adequately tied to disability.
6. The retaliation claim failed because the complaint did not plausibly allege a causal connection between Draghi's protected activity and his suspensions or termination.

7. After dismissing all federal ADA claims, the court declined supplemental jurisdiction over the state and city claims and dismissed them without prejudice to refiling in an appropriate state court.

KEY QUOTATIONS

“The continuing violation doctrine thus does not apply to Draghi’s discrimination, retaliation, or accommodation claims.”

“The complaint therefore sufficiently alleges a disability under the ADA.”

“Draghi has not alleged a causal link between that disability and an adverse employment action.”

“For the foregoing reasons, the Defendant’s motion to dismiss the federal ADA claims is granted in full.”

FACTUAL BACKGROUND

Draghi worked as a paraprofessional serving special-needs students at a Brooklyn public school and alleged that he suffered from anxiety. After a teacher called him stupid in June 2019, Draghi requested a classroom change or leave of absence, but the assistant principal declined and later disciplined him. Draghi alleged additional discipline, suspensions, investigations, and termination in 2022 and 2023, and he filed discrimination and retaliation complaints with the New York State Division of Human Rights in 2020 and 2023. The court concluded that most challenged conduct was time-barred or insufficiently connected to disability or protected activity to state an ADA claim.

PROCEDURAL HISTORY

Christopher Draghi filed an amended complaint against the New York City Department of Education alleging ADA discrimination, failure to accommodate, hostile work environment, and retaliation, along with analogous state and city claims. The Department moved to dismiss the federal claims. The court granted the motion, declined supplemental jurisdiction over the nonfederal claims, and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Brainbuilders LLC v. EmblemHealth, Inc., No. 21-CV-4627, 2022 WL 3156179, at *13 (S.D.N.Y. Aug. 8, 2022)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555-56, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Lundy v. Catholic Health System of Long Island Inc., 711 F.3d 106, 113 (2d Cir. 2013)
- Quarles v. N.Y.C. Health & Hosps., No. 22-CV-4553, 2023 WL 3880015, at *3 (S.D.N.Y. June 8, 2023), report and recommendation adopted, 2023 WL 5321034 (S.D.N.Y. Aug. 18, 2023)
- Harris v. City of New York, 186 F.3d 243, 247 & n.2 (2d Cir. 1999)
- Nat’l R.R. Passenger Corp. v. Morgan, 536 U.S. 101, 105, 112-15, 117 (2002)

- *Trinidad v. N.Y.C. Dep't of Correction*, 423 F. Supp. 2d 151, 165 n.11 (S.D.N.Y. 2006)
- *Curtis v. Airborne Freight Corp.*, 87 F. Supp. 2d 234, 244 (S.D.N.Y. 2000)
- *Gonzalez v. Hasty*, 802 F.3d 212, 220 (2d Cir. 2015)
- *Washington v. Cnty. of Rockland*, 373 F.3d 310, 318 (2d Cir. 2004)
- *Patterson v. Cnty. of Oneida, N.Y.*, 375 F.3d 206, 220 (2d Cir. 2004)
- *Langella v. Mahopac Cent. Sch. Dist.*, No. 18-CV-10023, 2020 WL 2836760, at *5-6 (S.D.N.Y. May 21, 2020)
- *Smith v. Nat'l Grid USA*, No. 2:21-CV-6899, 2025 WL 1248676, at *19 (E.D.N.Y. Apr. 30, 2025)
- *Bader v. Special Metals Corp.*, 985 F. Supp. 2d 291, 328 (N.D.N.Y. 2013)
- *Fox v. Costco Wholesale Corp.*, 918 F.3d 65, 71 (2d Cir. 2019)
- *Capobianco v. City of New York*, 422 F.3d 47, 56 (2d Cir. 2005)
- *Dancause v. Mt. Morris Cent. Sch. Dist.*, 590 F. App'x 27, 28-29 (2d Cir. 2014)
- *DeFranco v. N.Y. Power Auth.*, 731 F. Supp. 3d 479, 492-93 (W.D.N.Y. 2024)
- *Horsham v. Fresh Direct*, 136 F. Supp. 3d 253, 262-63 (E.D.N.Y. 2015)
- *Hilton v. Wright*, 673 F.3d 120, 129 (2d Cir. 2012)
- *Atkins v. Rochester City Sch. Dist.*, 764 F. App'x 117, 119 (2d Cir. 2019)
- *Sealy v. State Univ. of N.Y. at Stony Brook*, 408 F. Supp. 3d 218, 226 (E.D.N.Y. 2019)
- *Collazo v. Cnty. of Suffolk*, 163 F. Supp. 3d 27, 53 (E.D.N.Y. 2016)
- *Sotomayor v. City of New York*, 862 F. Supp. 2d 226, 254-55 (E.D.N.Y. 2012)
- *Dooley v. JetBlue Airways Corp.*, 636 F. App'x 16, 21 (2d Cir. 2015)
- *Littlejohn v. City of New York*, 795 F.3d 297, 312, 321 (2d Cir. 2015)
- *Tomassi v. Insignia Fin. Grp., Inc.*, 478 F.3d 111, 115-16 (2d Cir. 2007), abrogated on other grounds by *Gross v. FBL Fin. Servs., Inc.*, 557 U.S. 167 (2009)
- *Graham v. Macy's, Inc.*, No. 14-CV-3192, 2016 WL 354897, at *7 (S.D.N.Y. Jan. 28, 2016), *aff'd*, 675 F. App'x 81 (2d Cir. 2017)
- *Mitchell v. Washingtonville Cent. Sch. Dist.*, 190 F.3d 1, 6 (2d Cir. 1999)
- *Williams v. Geiger*, 447 F. Supp. 3d 68, 80-81 (S.D.N.Y. 2020)
- *Trachtenberg v. Dep't of Educ. of City of N.Y.*, 937 F. Supp. 2d 460, 472-73 (S.D.N.Y. 2013)
- *Montanez v. McDean LLC*, 770 F. App'x 592, 594 (2d Cir. 2019)
- *Maines v. Last Chance Funding, Inc.*, No. 17-CV-5453, 2018 WL 4558408, at *11 (E.D.N.Y. Sept. 21, 2018), *amended*, 2018 WL 4610898 (E.D.N.Y. Sept. 25, 2018)
- *Kemp v. A & J Produce Corp.*, 164 F. App'x 12, 14 (2d Cir. 2005)
- *Vale v. Great Neck Water Pollution Control Dist.*, 80 F. Supp. 3d 426, 438 (E.D.N.Y. 2015)
- *Sharikov v. Philips Med. Sys. MR, Inc.*, 103 F.4th 159, 170 (2d Cir. 2024)
- *Zoulas v. N.Y.C. Dep't of Educ.*, 400 F. Supp. 3d 25, 57 (S.D.N.Y. 2019)
- *Laface v. Eastern Suffolk Boces*, 349 F. Supp. 3d 126, 149 (E.D.N.Y. 2018)
- *Clark County School District v. Breedon*, 532 U.S. 268, 273-74 (2001)

- Flood v. UBS Asset Mgmt., Inc., No. 10-CV-374, 2012 WL 288041, at *17 (S.D.N.Y. Feb. 1, 2012)
- Soules v. Conn. Dep't of Emergency Servs. & Pub. Prot., 882 F.3d 52, 56-57 (2d Cir. 2018)
- Fort Bend County v. Davis, 587 U.S. 541, 543-44, 553 (2019)
- Gallop v. Cheney, 642 F.3d 364, 369 (2d Cir. 2011)
- Shields v. Citytrust Bancorp. Inc., 25 F.3d 1124, 1132 (2d Cir. 1994)
- Carnegie-Mellon University v. Cohill, 484 U.S. 343, 350 (1988)

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