

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

KARSEN SPRADLIN,

EEOC Case No. 15D201700019

Petitioner,

FCHR Case No. 2016-01982

v.

DOAH Case No. 17-6468

FLORIDA DEPARTMENT OF EDUCATION,

FCHR Order No. 18-047

Respondent.

**FINAL ORDER DISMISSING PETITION FOR
RELIEF FROM AN UNLAWFUL EMPLOYMENT PRACTICE**

Preliminary Matters

Petitioner Karsen Spradlin filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2015), alleging that Respondent Florida Department of Education committed unlawful employment practices on the bases of Petitioner's race (Caucasian) and color by failing to promote Petitioner and by subjecting Petitioner to a hostile work environment through disciplinary actions, berating and condemning statements, and disparaging treatment. Petitioner also alleged Respondent subjected Petitioner to unlawful retaliation.

The allegations set forth in the complaint were investigated, and, on November 3, 2017, the Executive Director issued a determination finding that there was no reasonable cause to believe that an unlawful employment practice had occurred.

Petitioner filed a Petition for Relief from an Unlawful Employment Practice, and the case was transmitted to the Division of Administrative Hearings for the conduct of a formal proceeding.

An evidentiary hearing was held in Tallahassee, Florida, on March 9, 2018, and in Marianna, Florida, on April 13, 2018, before Administrative Law Judge Garnett W. Chisenhall.

Judge Chisenhall issued a Recommended Order of dismissal, dated July 24, 2018.

The Commission panel designated below considered the record of this matter and determined the action to be taken on the Recommended Order.

Findings of Fact

We find the Administrative Law Judge's findings of fact to be supported by competent substantial evidence.

We adopt the Administrative Law Judge's findings of fact.

Conclusions of Law

We find the Administrative Law Judge's application of the law to the facts to result in a correct disposition of the matter.

We adopt the Administrative Law Judge's conclusions of law.

Exceptions

Neither of the parties filed exceptions to the Administrative Law Judge's Recommended Order.

Dismissal

The Petition for Relief and Complaint of Discrimination are DISMISSED with prejudice.

The parties have the right to seek judicial review of this Order. The Commission and the appropriate District Court of Appeal must receive notice of appeal within 30 days of the date this Order is filed with the Clerk of the Commission. Explanation of the right to appeal is found in Section 120.68, Florida Statutes, and in the Florida Rules of Appellate Procedure 9.110.

DONE AND ORDERED this 14 day of November, 2018.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Latanya Peterson, Panel Chairperson;
Commissioner Jay Pichard; and
Commissioner Rebecca Steele

Filed this 14 day of November, 2018,
in Tallahassee, Florida.



Clerk
Commission on Human Relations
4075 Esplanade Way, Room 110
Tallahassee, FL 32399
(850) 488-7082

Copies furnished to:

Karsen Spradlin
4940 Logan Loop
Malone, FL 32445

Florida Department of Education
c/o Riley M. Landy, Esq.
Turlington Building, Ste. 1244
325 West Gaines Street
Tallahassee, FL 32399-0400

Garnett W. Chisenhall, Administrative Law Judge, DOAH

James Mallue, Legal Advisor for Commission Panel

I HEREBY CERTIFY that a copy of the foregoing has been mailed to the above listed addressees this 14 day of November, 2018.

By: Tammy Barton
Clerk of the Commission
Florida Commission on Human Relations