

FEB. 28 2014

INDIANA STATE  
CIVIL RIGHTS COMMISSION

STATE OF INDIANA  
INDIANA CIVIL RIGHTS COMMISSION

AMANDA (WISE) MCGEE

Complainant,

vs.

MT. VERNON COMMUNITY SCHOOL

CORPORATION,

Respondent.

) Docket No.: EMha12010878

) EEOC No.: 24F-2012-00241

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

On January 29, 2014, Noell F. Allen Administrative Law Judge (“ALJ”) for the Indiana Civil Rights Commission (“ICRC”) entered her Proposed Findings of Fact, Conclusions of Law, And Order (“the proposed decision”).

No objections have been filed to the ICRC’s adoption of the proposed decision.

Having carefully considered the foregoing and being duly advised in the premises, the ICRC hereby adopts as its own the findings of fact, conclusions of law, and order proposed by the ALJ in the proposed decision, a copy of which is attached hereto and incorporated herein by reference.

INDIANA CIVIL RIGHTS COMMISSION



COMMISSIONER



COMMISSIONER



COMMISSIONER



COMMISSIONER

Dated this 28<sup>th</sup> Day of February, 2014.

To be served by CERTIFIED mail on the following parties and attorneys of record:

Amanda (Wise) McGee  
303 Winfield Street  
Greenfield, IN 46140

Lewis Wagner, LLP  
BY: Theresa R. Parish, Esq. and Stephanie L. Cassman  
Attorneys for Complainant Amanda Wise  
501 Indiana Avenue, Suite 200  
Indianapolis, IN 46202

Mt. Vernon Community School Corp.  
c/o Superintendent  
1776 West State Road 234  
Fortville, IN 46040-9707

BOSE McKINNEY & EVANS LLP  
BY: Karen Glasser Sharp, Esq.  
Attorneys for Respondent Mt. Vernon Community School Corp.  
111 Monument Circle, Suite 2700  
Indianapolis, IN 46204

and to be personally served on the following attorney on record:

Frederick S. Bremer, Esq.  
Staff Counsel  
Indiana Government Center North  
Indiana Civil Rights Commission  
100 N. Senate Avenue, Room N103  
Indianapolis, IN 46204

JAN. 29 2014

INDIANA STATE  
CIVIL RIGHTS COMMISSION

**STATE OF INDIANA  
INDIANA CIVIL RIGHTS COMMISSION**

AMANDA (WISE) MCGEE

Complainant,

vs.

MT. VERNON COMMUNITY SCHOOL

CORPORATION,

Respondent.

Docket No.: EMha12010878

EEOC No.: 24F-2012-00241

**PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND  
ORDER**

On January 28, 2014, Complainant's Counsel, Theresa Parish, advised the undersigned Administrative Law Judge ("ALJ") for the Indiana Civil Rights Commission ("ICRC") of the parties' Stipulation of Dismissal with Prejudice filed with the United States District Court, Southern District of Indiana in Cause No. 1:13-cv-0781-TWP-MJD.

Having carefully considered the foregoing and being duly advised in the premises, the ALJ proposes that the ICRC enter the following findings of fact, conclusions of law, and order.

**FINDINGS OF FACT**

1. Complainant, Amanda (Wise) McGee filed a complaint of discrimination on December 28, 2011 alleging the Respondent, Mt. Vernon Community School Corporation, discriminated against her on the basis of disability and sex. (Complaint of Discrimination, December 2011).
2. On September 12, 2012, the Deputy Director issued a Notice of Finding concluding there was probable cause that a discriminatory act occurred.
3. This matter is currently pending in the United States District Court Southern District of Indiana.

4. Any Conclusion of Law that should have been deemed a Finding of Fact is hereby adopted as such.

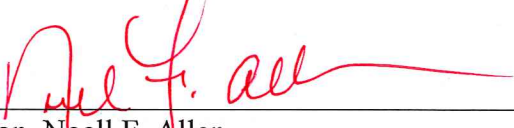
### CONCLUSIONS OF LAW

1. Under Ind. Code § 22-9-1-6(q), “upon notice that a complaint is the subject of an action in a federal court, the commission shall immediately cease investigation of the complaint and may not conduct hearing or issue findings of fact or orders concerning that complaint.”
2. Since this matter is currently the subject of an action in federal court, the ALJ must dismiss this complaint.
3. Administrative review of this proposed decision may be obtained by the filing of a writing identifying with reasonable particularity each basis of each objection within fifteen (15) days after service of this proposed decision. IC 4-21.5-3-29(d).
4. Any Finding of Fact that should have been deemed a Conclusion of Law is hereby adopted as such.

### ORDER

1. The Complainant’s complaint is hereby **DISMISSED**, with prejudice.

Dated this 29<sup>th</sup> day of January, 2014

  
\_\_\_\_\_  
Hon. Noell F. Allen  
Administrative Law Judge  
Indiana Civil Rights Commission

To be served by first class mail on the following parties and attorneys of record:

Amanda (Wise) McGee  
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Greenfield, IN 46140

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BY: Theresa R. Parish, Esq. and Stephanie L. Cassman  
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Staff Counsel  
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