



1700 E. Cold Spring Lane  
Baltimore, MD 21251

**Contact Information:**

**Office of Diversity &  
Equal Employment  
Opportunity**

**Morgan State  
University  
Truth Hall, Room 103**

**Ms. Jodi Cavanaugh, Esq.,**

**Diversity & EEO  
Officer**

**Phone: 443.885.3580**

**Email:  
jodi.cavanaugh@morgan.edu**

**Mrs. Treonna  
Jackson-Hadnott**

**Diversity/EEO Assistant**

**Email:  
treonna.jackson@morgan.edu**

**Phone: 443.885.3559**

**Fax: 443.885.8293**

**Office Hours  
8:30am - 5:00pm (M-F)**



# Diversity/EEO @ MSU

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## Morgan State University Nondiscrimination Policy

It is the policy of Morgan State University that all employees and students should be able to enjoy and work in an educational environment free from discrimination. Discrimination against any person or group of persons on the basis of race, color, national origin, religion, sex, sexual orientation, age, marital status or disability is prohibited by this policy. Any employee, student, student organization, or person privileged to work or study at Morgan State University who violates this policy will be subject to disciplinary action up to and including permanent exclusion from the University.

### Definition Of Sexual Harassment

For the purpose of this University policy, the University adopts the definition of sexual harassment promulgated by the Equal Employment Opportunity Commission. Sexual harassment is defined as: (1) unwelcome sexual advances; or (2) unwelcome requests for sexual favors; and (3) other behavior of a sexual nature where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or participation in a University-sponsored educational program or activity; or
2. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance, or of creating an intimidating, hostile, or offensive educational or working environment. Sexual harassment may occur between persons of the same or different genders.

*Examples of sexual harassment*, as defined above, may include, but are not limited to the following behavior directed at a person because of his or her gender:

- Direct or implied threats or sexual advances as a condition of employment, work status, promotion, grades, or letters of recommendation;
- Unwelcome physical contact, including unnecessary touching, patting, hugging or brushing against a person's body; or,
- Pervasive and or unwelcome sexual comments, jokes or conversations.

In assessing whether a particular act constitutes sexual harassment as defined by this policy, the standard shall be the perspective of a reasonable person within the University community. In determining whether alleged conduct constitutes sexual harassment, the University will look at the record as a whole and at the totality of the circumstances such as the nature of the sexual advances and the context in which the alleged incidents occurred. The determination of the legality of a particular action will be based on the findings of fact, on a case-by-case basis. The rules of common sense and reason shall prevail.

## MSU Mandatory Sexual Harassment Prevention Training

Federal and State laws mandate that state employees and students work and learn in an environment free from discrimination and sexual harassment. It is the policy of Morgan State University to protect all employees and students from discrimination and require mandatory Sexual Harassment Prevention Training. This mandatory training is offered once a month. There is a maximum of fifty employees per session. In order to facilitate your selection, please sign up as soon as possible. Should you have any questions, please contact Ms. Jodi A. Cavanaugh, Diversity and Equal Employment Officer or Ms. Treonna Jackson at ext. 3559 or email [jodi.cavanaugh@morgan.edu](mailto:jodi.cavanaugh@morgan.edu).

### Dates and Times Of Training

Thursday, December 03, 2009

Two Sessions Offered 9:00 a.m. - 12:00 p.m. or 1:30 p.m.- 4:30 p.m.



*“Diversity is the  
one true thing we  
all have in  
common.  
Celebrate it every  
day.” (Author  
Unknown)*



- A person, who believes that he/she has been a victim of sexual harassment in the University; or a University employee with knowledge of the allegations, notifies the University’s Equal Opportunity Officer of the allegations.
- The Complainant is interviewed by the EEO Officer and asked to provide a written statement of his/her complaint, though he/she is not required to do so.
- The EEO Officer will promptly notify, in writing, the University’s General Counsel and the Director of OHR of the receipt of a sexual harassment complaint.
- Make sure every employee knows the proper procedure for reporting complaints.
- Inform the Diversity & EEO Officer, Director of OHR, or the Office of General Counsel of the complaint.
- PROMPTLY REPORT ALL INSTANCES OF SEXUAL HARASSMENT IN ACCORDANCE

## Office of the Deaf and Hard of Hearing on Twitter

The Governor's Office of the Deaf and Hard of Hearing (ODHH) is turning to Twitter, a free service that allows people to keep in touch through the exchange of real-time short messages. Twitter text based messages can be sent to a variety of networks and mobile devices. Through its Twitter account, <http://twitter.com/ODHH>, ODHH will be able to broadcast timely information, post news, updates and announcements for its constituents and stakeholders. To access ODHH on Twitter, individuals will need to have their own Twitter Account. Registration is free; contact <http://twitter.com> for more information. For more information about ODHH and Twitter, ODHH office at [odhh@gov.state.md.us](mailto:odhh@gov.state.md.us). Contact ODHH for more information. (ODHH, 2009) <http://www.odhh.maryland.gov/>

## EEOC Approves Proposed ADA Regulations

**The U.S. Equal Employment Opportunity Commission (EEOC)** approved a Notice of Proposed Rulemaking (NPRM) revising its regulations to provide that an individual seeking protection under the Americans with Disabilities Act (ADA) establish the disability consistent with the original, expansive intent of Congress when it enacted the ADA in 1990.

**The ADA Amendments Act**, effective January 1, 2009, states Congress expects the EEOC to revise its regulations to conform to changes made by the Act, and expressly authorizes the EEOC to do so. The new law rejected the holdings in several Supreme Court decisions and portions of EEOC’s ADA regulations that Congress believed construed the definition of “disability” too narrowly, preventing individuals with impairments such as cancer, diabetes, epilepsy, multiple sclerosis, muscular dystrophy, post-traumatic stress disorder, and bipolar disorder from bringing discrimination claims.

**The ADA Amendments Act (ADAAA)** and the proposed rule make it easier for an individual alleging employment discrimination based on disability to establish that he or she meets the ADA’s definition of “disability.” The ADA Amendments Act also modifies the Rehabilitation Act of 1973, prohibiting employment discrimination in the federal workforce on the basis of disability. The EEOC voted June 17, 2008 to adopt the rule changes, which then went to the Office of Management and Budget for review, and to federal agencies.

**The Definition Of Disability** — an impairment that poses a substantial limitation in a major life activity — must be construed in favor of broad coverage of individuals to the maximum extent permitted by the terms of the ADA, and should not require extensive analysis. For more information ( <http://www.eeoc.gov>).