



OEOD E-News

Fall 2005

The Office of Equal Opportunity and Diversity (OEOD)

A quarterly electronic newsletter with the latest information on policies and programs related to diversity, discrimination, retaliation and sexual harassment.

Programs and Trainings:

Mandatory Sexual Harassment Prevention

Assembly Bill 1825 requires that all supervisors have two hours of sexual harassment prevention training by January 1, 2006. Supervisors may comply with this requirement in one of three ways. Supervisors may take the new online program provided by UC Office of the President and developed with a vendor, Workplace Answers. Look for an e-mail from WPA allowing the supervisor to link to the training course. Supervisors may take a live training program. Enroll via Training & Employee Development ([TED](#)). Finally, large or combined departments with 40 or more participants may arrange for a departmental training. For more information, go to www.eod.uci.edu/.

Diversity Development Program

The Diversity Development Program ([DDP](#)) is a program that celebrates UCI's diversity while also addressing the unresolved issues and concerns that exist in a diverse university community. This 25-hour certificate program provides a unique opportunity for staff, students, and faculty to engage in serious discussion on various topics concerning diversity. Recruitment for DDP 2006 begins in November, 2005. The program starts in January and ends in May 2006. You may send in a letter or e-mail of interest to be put on a priority list, or be on the look out for further announcements. Contact Prany Sananikone at psananik@uci.edu or call at (949) 824-4549.

Interesting Cases:

Subjective Effects Matter: EEOC v. National Education Association

The Ninth Circuit Court of Appeals recently ruled that non-sexual bullying that is not directed at a particular sex may still violate federal law if there is sufficient evidence that the impact of the harassment suffered by females was different from that suffered by males. In this case, a male manager engaged in bullying behavior by shouting, screaming, using profanity, invading employees' personal space and using threatening gestures. The court found that the subjective effects of the behavior were very different for women and men. If one sex is the primary target of the bullying behavior, that could be discrimination based on sex.

Blog Bungle

A Boston University Adjunct Professor was fired for violating the trust essential to a student-teacher relationship after he described one of his students as "incredibly hot" in his Internet web log, or "blog." In a posting after he was fired, the author remarked that his comments were "pathetic, juvenile, and boorish" and stated that he was "deeply ashamed." Freedom of speech and academic freedom are not limitless: think twice before hitting the "send" button on email and posting on web logs.

"Viewpoint Discrimination" is Not Allowed Where Religion is Involved

A school district's decision not to allow a religious group to use several of its communications forums, open to other community groups, was "viewpoint discriminatory" and unconstitutional, ruled the Third Circuit Court of Appeals recently. In Child Evangelism Fellowship (CEF) of New Jersey Inc. v. Stafford Township School District, the Third Circuit Court of Appeals held that the school district could not exclude CEF from its forums.