

SEAFARERS HARRY LUNDEBERG SCHOOL OF SEAMANSHIP SEXUAL MISCONDUCT POLICY

The Seafarers Harry Lundeberg School of Seamanship (“School” or “SHLSS”) prohibits sexual misconduct by all members of the School’s community, which include: apprentices, upgraders, instructors, administrative and support personnel and other staff. SHLSS is committed to providing an environment in which all members of the community are treated with respect, and are not afraid to report an incident of sexual misconduct. The School will promptly investigate all such reports to determine the appropriate response, and prohibits retaliation against a person for reporting an incident of sexual misconduct.

SHLSS is not governed by Title IX of the Education Amendments of 1972, as its educational programs do not receive federal funds.

Definition of Sexual Misconduct

Sexual Misconduct can occur between individuals of the opposite sex or of the same sex, and may occur between students, students and staff, or among staff members; and includes all of the following behaviors:

Sexual Harassment : Any **unwelcome** sexual advance, request for sexual favors, or verbal or physical conduct of a sexual nature. Sexual harassment includes unwelcome touching; sexual jokes or remarks, either in person or via e-mail, phone, text, tweet or voice message; comments about a person’s body; displays of sexually suggestive materials; offering benefits in exchange for sexual favors; pressuring a person to have sex (especially when the person doing the pressuring is in a position of authority); or threatening a person about the consequences of refusing to have sex.

Stalking: Repeated unwanted attention (physical, verbal or electronic) directed toward another person that is serious enough to cause fear or create a hostile environment for a reasonable person in the same situation as the victim.

Sexual Assault : Any **non-consensual** sexual intercourse or sexual contact (rape). **Consent** is the voluntary, positive agreement between the parties to engage in sexual activity. A person who is asleep, or physically or mentally incapacitated due to the effects of drugs or alcohol or for some other reason, is not capable of giving valid consent. The fact that the parties previously engaged in sexual activity with each other does not mean that each party consents to sex in the future.

Relationship/Dating Violence: Sexual or physical abuse, or threat of such abuse when the people involved have had a romantic relationship.

Reporting Sexual Misconduct

If you believe you are being sexually harassed, threatened or stalked by a person who is a student or an employee, the School encourages you to promptly report this

behavior to **Bart Rogers**, Assistant Vice President, extension 5317, or Priscilla **Labanowski**, Director of Vocational Education, extension 5202. All apprentices should report these incidents to the Commandant, Craig Guy, extension 5430. If none of these individuals are available, or if you prefer, you may report the misconduct to **Tom Orzechowski**, Acting Vice President of the SHLSS, extension 5360, or the Personnel Department at SHLSS or at SIU headquarters.

If you have been sexually assaulted or are the victim of relationship violence, the School encourages you to immediately seek assistance. The School suggests that you report the incident to **Sharon Thompson, RN**, Clinical Nurse, extension 5435, as soon as possible. If an incident occurs in on a weekend, or the evening or late at night at a time when Sharon Thompson, Bart Rogers and Priscilla Labanowski are unavailable, you should immediately notify the front desk, who will contact the appropriate authorities. If necessary, SHLSS will arrange transportation to the closest hospital, which is:

- **MedStar St. Mary's Hospital**
25500 Point Lookout Road, Leonardtown, MD 20650
Telephone: (855) 633-0231

St. Mary's Hospital provides Sexual Assault Forensic Exams, which are performed by specially trained nurses. There is no cost to the victim for this exam. The exam must be performed within 5 days of the assault.

If you are assaulted and want to get immediate and confidential help at any time of the day or night, or you do not wish to report the incident to SHLSS, the School suggests that you contact one of the following organizations:

- **Walden-Sierra, Inc.**
24 hour hotline: (301) 863-6661
www.waldensierra.org

Walden-Sierra has offices in Charlotte Hall and Leonardtown, MD, and provides advocacy, crisis counseling at no charge, and ongoing therapeutic support. They can also accompany a sexual assault victim to the hospital. Walden-Sierra is not required to notify SHLSS if you report a sexual assault to them. SHLSS will establish a formal relationship with Walden-Sierra, to ensure that if a student at the School is the victim of sexual assault, the student will have prompt access to all necessary support services.

- **Rape, Abuse and Incest National Network (RAINN)**
24 hour hotline: (800) 656-4673
www.rainn.org

RAINN is a confidential national sexual assault hotline, which provides support and referral to local services.

Please be aware that if you choose not to notify SHLSS at the time an incident occurs, it may be difficult for the School to conduct an adequate investigation at a later time.

SHLSS will coordinate with the local law enforcement agency to inform the victim of sexual assault of their right to file a criminal complaint when appropriate. The local law enforcement agency is:

- **St. Mary's County Sheriff's Office**
For Emergencies: 911
For other situations of concern: (301) 475-8008

SHLSS has an agreement with the St. Mary's County Sheriff's Office regarding when the School will refer a case involving sexual assault to them for investigation.

SHLSS Procedure for Investigating Allegations of Sexual Misconduct

The School will conduct a thorough investigation whenever it receives a report of sexual misconduct. If a victim of harassment or assault asks the School not to take any action, the School will make a determination based upon the seriousness of the offense, and the risk to other members of the School's community.

The School recognizes the sensitive nature of information about sexual misconduct. The Investigating Committee will not publicly disclose any information about the victim, and will only share information with those individuals who need to know. However, in order to investigate a complaint, the School cannot guarantee confidentiality, as it may be necessary to identify the victim during the course of the investigation. The School will not disclose any personal information about the victim of sexual assault or harassment without their consent.

All reports of sexual misconduct will be investigated by a committee consisting of the following individuals: Bart Rogers, Assistant Vice President of SHLSS; Priscilla Labanowski, Director of Vocational Education; and Victor Nunez, Port Agent. The Investigating Committee will interview all parties involved, as well as any witnesses. The Committee will then make a finding regarding whether sexual misconduct occurred. If the Committee concludes that a person is guilty of sexual misconduct, it will take appropriate disciplinary action against that person, up to and including dismissal from the School. A person whose misconduct violates state or federal law may also be subject to criminal charges and penalties.

Any instructor or other staff member at the School found in violation of this policy shall be subject to disciplinary action, up to and including termination of employment, depending upon the circumstances.

SHLSS will not retaliate against any person for reporting an incident of sexual misconduct, unless it is determined that the person deliberately made a false report.

Support Available to Victims of Sexual Harassment, Assault or other Sexual Misconduct

SHLSS will ensure that a victim of sexual misconduct has access to counseling and other support services at Walden-Sierra. In addition, SHLSS will make accommodations necessary to ensure the safety and security of the victim. If requested, the School will move the victim to a different room. If the victim prefers to leave the School, he or she may do so, and may return to SHLSS at another time, without a penalty.

Dissemination of this Policy

The School will provide a copy of this Policy to all participants in Basic Safety Training, and will provide a copy to all upgraders upon check-in; and will also be distribute the policy to a sample of upgrading classes. A link to this Policy is contained on the website www.seafarers.org in the section that discusses SHLSS. The Policy will also be included in the employee handbook for employees of SHLSS.

Acknowledgment of Receipt of Policy

My signature below confirms that I have received a copy of the SHLSS' Sexual Misconduct Policy.

Signature

Date

Print Name