**MEETING OF THE U.S. MERCHANT MARINE ACADEMY**

**BOARD OF VISITORS**

**Capitol Visitors Center**

**Room SVC 215**

**12 July 2017**

**ATTENDEES**

BOARD OF VISITORS (BOV) MEMBERS: Rep. Peter King; (R-NY), Chairman; Sen. Roger Wicker (R-MS), Sen. Deb Fisher (R-NE); Rep. Tom Suozzzi (D-NY), RADM Dee Mewbourne; Commander, Military Sealift Command; RADM David A. Score, Director, National Oceanic and Atmospheric Administration (NOAA) Corps; RADM Linda L. Fagan, U.S. Coast Guard Deputy Commandant for Operations, Policy and Capabilities; Mr. Gary Gilbert ; Mr. Joseph Cox, Ms. Susan Hayman, Ms. Sharon van Wyk, PhD, U.S. Merchant Marine Academy (USMMA) Advisory Board Chair

MARITIME ADMINISTRATION (MARAD) OFFICIALS: Mr. Joel Szabat, Executive Director In lieu of Maritime Administrator; RADM James Helis, U.S. Maritime Service, Superintendent, USMMA; Mr. Brian Blower, MARAD Academy Liaison and BOV Designated Federal Officer

**PURPOSE**

As required by law, the BOV met to receive a briefing on the state of the U.S. Merchant Marine Academy (USMMA or Academy) and to hear the findings in the 2017 Annual Report to the Secretary of Transportation (Secretary) by the Academy’s Advisory Board (AB).

**REPRESENTATIVE KING’S REMARKS**

Rep. King stated that he was proud to work with everyone involved with the Academy and praised the work that has been done in the past few years to improve the experience at USMMA. He noted that 4 of the 5 requirements the Middle States Commission on Higher Education (MSCHE) found the Academy did not meet during their 2016 reaccreditation visit had been resolved. He pointed out the positive language in the MSCHE report and expressed confidence that the Academy would meet the final outstanding requirement soon. He commended the Academy for its efforts in the “culture campaign” and indicated that the work done to resume commercial Sea Year was a good start to full restoration of the commercial sea year experience. He concluded by referring to the Academy as a “national asset” which must be maintained and improved.

**SUPERINTENDENT’S BRIEFING**

Superintendent Helis pointed out that a lot of work was required by DOT/MARAD/USMMA to clear 4 of the 5 MSCHE requirements and a lot of work is ongoing to ensure that the final requirement is cleared soon. He provided the status of critical infrastructure projects that are ongoing; an update on the leadership development training; an overview of recent hires for key vacancy and the ongoing staffing efforts to fill other vacant positions including the challenges faced in hiring a new Dean.

Superintendent Helis commended the Midshipmen (M/N) who designed the “culture campaign” and everyone involved in developing a new “values document” that stresses core values of “Respect, Honor, Service”. He stated that the past year has been challenging but the Academy is making good progress and will continue to forge ahead.

**REPRESENTATIVE SUOZZI’S REMARKS**

Rep. Suozzi commended RADM Helis on the job he has done the past year and mentioned that he has co-sponsored a bill with Sen. Gillibrand (D-NY) that would require USMMA to be subject to the requirements of Title IX US Code from which all service academies are currently exempt.

**ADVISORY BOARD REPORT TO THE BOV**

Dr. Sharon van Wyk, provided information about the Advisory Board members, the c harter, and the methodology used to develop the findings of the Annual report to the Secretary. She stated that consistent with the Advisory Board’s 2016 report, the 2017 report focuses on three areas requiring continuing attention:

## 1. Safety of Midshipmen

## 2. Accreditation

3. 5-year Strategic Plan

1. **Safety of Midshipmen** – Dr. van Wyk provided some background on the efforts made to address Sexual Assault and Sexual Harassment (SA/SH) at the Academy noting that antidotal evidence of alleged sexual harassment, assault, hazing, bullying, coercion, and retaliation were identified during the past 10 years. she noted that during the MSCHE decennial accreditation review in 2016, the Academy was warned that it was not in compliance with accreditation standards, in part because of a persistent pattern of sexual harassment and assault.

In June 2016, then-Secretary of Transportation Anthony Foxx made the highly controversial decision to suspend Sea Year with the intent of allowing time for USMMA, MARAD, and the maritime industry to strengthen policies and practices to prevent sexual harassment and assault. Then-Secretary Foxx subsequently directed an independent cultural audit to be conducted by Logistics Management Institute (LMI).

Following publication of the LMI Final Report and as a result of the constructive response and action by maritime industry leaders, MARAD, and the Academy, then-Secretary Foxx approved a staged resumption of Sea Year.

The controversial actions by DOT/MARAD, and USMMA to prevent sexual harassment and assault have further polarized the USMMA community with significant support and opposition. While Substantive progress has been made over the past 12 months to increase the safety of Midshipmen on campus and at sea, the Board advises continued work toward meeting Safety of Midshipmen recommendations contained in its 2016 Annual Report and makes four new recommendations:

* MARAD/USMMA should continue to fund, assess, and improve the Sea Year Compliance Program to protect Midshipmen. They should ensure that the Sea Year experiential learning experience is constructive and contributes to achieving expected outcomes. This will build evidence that the Academy has embraced and is compliant with MSCHE *Standards for Accreditation and Requirements for Affiliation.*
* The Academy should fill open positions in the Sexual Assault Prevention and Response Office (SAPRO), onboard staff, and ensure that the work of SAPRO is supported and integrated into the fabric of the Academy as quickly as possible.
* The Academy should continue to use the (Sexual Assault and Gender Relations) SAGR survey to measure progress on preventing and ending sexual harassment and assault against peers, and use the data to continuously improve programs.
* The Academy and MARAD should establish performance indicators and adjust them, as needed, to measure progress toward safety objectives so that Midshipmen and the Academy administration can be confident that appropriate efforts are being made to prevent sexual harassment and assaults, that incidents will be addressed promptly, and that there will be zero tolerance for retaliation against victims who report harassment or assault.
1. **Accreditation** – Dr. van Wyk provided an overview of the accreditation process and pointed out that in 2016, MSCHE placed the Academy on warning due to insufficient evidence that the institution was in compliance with five of 14 standards for accreditation and requirements for affiliation; specifically Accreditation Standards 2, 3, 4, 5, and 9 and Affiliation Standard 7. She noted that the MSCHE found a fundamental lack of authority and autonomy granted to the Superintendent from Congress, U.S. DOT, and MARAD. Subsequent to the findings, many authorities have been restored to the Superintendent.

To support the Academy in reaching its governance, leadership, and administration goals, and in maintaining regional accreditation, the Board made the following recommendations:

* The Academy, MARAD, and U.S. DOT should understand and comply with the governance, leadership, and administration requirements for accreditation. It is important to articulate key entities’ roles, including their responsibilities for oversight and execution, and adjust policies and statutes to adopt best practices and requirements for accreditation. (This recommendation was also contained in the Board’s 2015 and 2016 Annual Reports.)
* The Academy should purchase and implement software to track and communicate evidence of compliance with accreditation standards and staff the office of Institutional Assessment at an adequate level to develop and manage ongoing institutional assessment processes and programs.
1. **5-year Strategic Plan -** Dr. vanWyk pointed out that an institution of higher education typically develops a strategic plan to shape its programs and practices and evaluate success. The strategic plan is usually developed by faculty, staff, and students in collaboration with the institution’s governing body. However, the Academy’s current Strategic Plan was driven by previous DOT Headquarters senior staff. As a result, some of the Academy faculty and staff reported to the Board that they were not committed to the goals and objectives contained in the Strategic Plan. They felt that the Plan did not address some important aspects of the Academy and that some of the performance measures contained in the Plan are not relevant to an academic institution.

The current strategic plan runs through 2017 and is due to be updated shortly, presenting an opportunity to resolve differences about the Plan’s objectives and performance measures during the next strategic planning process.

To obtain greater buy-in and support to achieve the next strategic plan objectives, the Advisory Board provided the following recommendation:

* The Superintendent and a representative group of members of the Academy should investigate strategic planning best practices from other institutions of higher education and choose a more collaborative and comprehensive strategic planning approach to foster greater buy-in and ownership of the plan from faculty, staff and the Academy’s administration, Regiment, and governing bodies

**CONCLUSION:**

The Board recommended that Secretary Chao prioritize the three areas discussed in this report: the safety of Midshipmen, regional accreditation, and the strategic planning process.

Some of the changes made over the past five years have been controversial and divisive, but the Academy is fortunate to have many stakeholders with such passion for the Academy and its mission.

The Academy/MARAD/ DOT should continue to work toward full implementation of the Capital Improvement Plan and prior secretarial directives.

As time and budget allow, the Board’s recommendations from its previous Annual Reports should be prioritized and resources allocated for their implementation.

**SENATOR WICKER’S COMMENT/QUESTIONS**

After stating that all allegations of SA/SH are a serious matter, Sen. Wicker asked if the raw data was available to support the figures quoted in the report.

A – The numbers are not handy, but DMDC has all the data from the last survey.

Q – Can you supply the data?

A – MARAD/USMMA will provide it.

Q- What cultural aspects at USMMA are different from the other Academies?

A - The LMI study did not do a cross-cultural study between the Academies, but there is a persistent lack of respect for difference at USMMA. There is a focus on protecting the accused and not the accuser.

Sen. Wicker noted that he attended graduation for the class of 2017 which was a very inspiring occasion and that USMMA is a national treasure that needs to be preserved. He stated that it was clear from the data in the report (to the Secretary) that the decision makers over-reacted by standing down Sea Year last year and the problem is on campus, not at sea. It is regrettable that the decision on Sea Year Stand down was made the way it was. While there may appear to be a problem on paper, it is not at sea.

Q – Is there a concern over M/N getting adequate sea days to graduate?

A - Currently, there are M/N from the classes of 2018, 2019, 2020 at sea, so this is the busiest time of the year. As of today, 92% of eligible M/N are assigned to a vessel with 80% on commercial vessels.

Nine shipping companies presently provide billets for 81% of M/N. USMMA/MARAD are serious about making sure everyone has enough sea days, but due to a 20% reduction in US flag vessels in international trade since 2012, about 1/3 of M/N have been training on MSC ships. The real problem is the need for more US flag ships for training and employment.

**RADM FAGAN’S COMMENTS**

RADM Fagan affirmed the commitment of the U.S. Coast Guard to assisting in whatever way they can.

**RADM SCORE’S COMMENTS**

RADM Score commended USMMA on the efforts undertaken to address SA/SH and reminded them this is a marathon and not a sprint similar to the change in safety culture. He offered assistance with “best practices” lessons learned by NOAA.

**RADM MEWBOURN’S’S COMMENTS**

RADM Mewbourne recognized the importance of the strategic partnership between MSC and USMMA/MARAD noting that MSC volunteered larger numbers of billets during the “Federal Only” shipping period last year. He noted that during MSC’s self-evaluation regarding SA/SH, they hired a consultant to focus on 1. Victim treatment and response. 2. Communications strategy, policy development and plan implementation. 3. Creating an intolerant culture. 4. Prevention through education and training. 5. Program assessment and progress monitoring.

MSC is happy to share the results of their efforts with all the maritime academies.

**MR. GILBERT’S COMMENTS**

Mr. Gilbert pointed out that deep divides exist in the community of Academy stakeholders because everyone is deeply and emotionally invested in the Academy. He noted that it will take a lot to bring everyone together and heal past wounds.

Q- Has the Alumni Association and Foundation (AAF)/ USMMA relationship healed?

A- There are pockets of healing, but not in full. There is still a long way to go.

**MR. COX’S QUESTION**

Q - How is standard #7 of MSCHE reaccreditation report affected by the lack of a Strategic Plan?

A – USMMA has a Strategic Plan from 2012. Work as begun on the next 5-year plan which will probably take about 6 months to complete. We need to take out time to get it right and demonstrate to MSCHE that there is a linkage between resources and results. The past difficulties were the result of irregular budget cycles and Continuing Resolutions.

**SENATOR FISHER’S REMARKS**

Senator Fischer stated that USMMA plays a critical role in shipping and that Congress must insure that the Academy has sufficient resources to meet its mission. She pointed out that she and Sen (Corry) Booker introduced legislation in 2017 that had significant impact on MARAD and USMMA and that she plans to introduce additional legislation that will require satellite devices for all M/N while at sea and changes that will make it easier for the Academy to accept gifts.

Senator Fisher stated that more work needs to be done to clear the final MSCHE requirement and her staff will work with MARAD to monitor and coordinate the efforts. She mentioned that she met with MARAD Administrator nominee RADM (Ret) Mark “Buzz” Buzby yesterday and that the two of them agree on the priorities for the Academy.

**MS. HAYMAN’S COMMENTS**

Ms. Hayman asked how many of the 19% reported SA/SH incidents took place at sea and how many on campus. She stated that it is import to make the distinction and to delve deeper in to the data for better clarity. She pointed out that Sea Year is vital to the USMMA experience and suggested that all stakeholders be included in discussions regarding the Strategic Plan for the next 5 years.

**RADM HELIS COMMNETS**

RADM Helis stated that roughly 1/3 of SA/SH incidents take place at sea and the remaining 2/3 take place in some “other” location and that USMMA uses the same Defense Manpower Data Center (DMDC) survey instrument used by the Federal Service Academies. He said the problem is not the data, but rather that there must be “0” tolerance. He pointed out that the USMMA’s efforts are years behind the other Academies, but it provides an advantage that they can leverage lessons learned and best practices from the Military. He was emphatic that Sea Year is an essential component of the USMMA experience and there was no desire to change the commercial Sea Year. Any change would change the product (graduates) produced by USMMA.

**REPRESENTATIVE SUOZZI’S REMARKS**

Rep Suozzi introduced himself to those who missed his original comments and again and mentioned that he has co-sponsored a bill with Sen, Gillibrand (D-NY) that would require USMMA to be subject to Title IX US Code.

**MR. SZABAT’S COMMENTS**

Mr. Sabat noted that the M/N need Sea Year training platforms, but mariners also need jobs, so the US needs to grow the size of the US flag fleet. He stated that 81% of the companies utilized for training before the Sea Year Stand Down have resumed cadet shipping, however, even before the Stand Down, there were hundreds of US flag ships that did not train M/N and still do not take them. With regard to ongoing MARAD – industry SA/SH engagement, he noted that 1. the MARAD/Ship Operations Cooperative Program (SOCP) “Best Practices” and Computer Based Training (CBT) are nearing completion. 2. MARAD is looking at how to apply the Sea Year eligibility standards to State Maritime Academies. 3. MARAD is constantly reviewing and refining the Sea Year Eligibility requirements in consultation with industry.

**CLOSING REMARKS:**

Senator Fischer offered an opportunity for any final remarks from any members.

There being no further questions or discussion, the meeting was adjourned at 1438.

Submitted by:
Brian Blower

Designated Federal Officer to the Board of Visitors

202 366-2765

Brian.Blower@DoT.gov