

U.S. MERCHANT MARINE ACADEMY  
(USMMA)

2016 ANNUAL REPORT TO THE  
SECRETARY OF TRANSPORTATION

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*Prepared by the USMMA Advisory Board*

*June 10, 2016*

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## Executive Summary

This report provides the U.S. Secretary of Transportation (Secretary) Anthony Foxx with advice and counsel in accordance with the U.S. Merchant Marine Academy (USMMA, or Academy) Advisory Board (Board) Charter, Order DOT 1120.45, issued on March 27, 2013. Pursuant to 46 U.S. Code of Regulations 51313, then Secretary of Transportation, Ray LaHood, appointed members to the Board in May 2013.

This 2016 report is the third Annual Report written by the Board. Its primary purpose is to advise the Secretary, Maritime Administration (MARAD) Administrator, and Academy Superintendent on matters that need immediate and continued attention to advance the Academy towards meeting its strategic goals and objectives. This information may be helpful to the Academy and future members of the next MARAD and U.S. Department of Transportation (U.S. DOT) administration as they envision the future of the Academy and develop future Academy strategic plans, performance measures, and budgets.

This report also:

- Recognizes the progress that has been made over the past year towards achieving the goals and objectives established in *The U.S. Merchant Marine Academy Strategic Plan: 2012–2017* (Strategic Plan), a set of Directives issued by Secretary Foxx in 2014, and recommendations included in the Board's previous Annual Reports.
- Informs the Academy's Board of Visitors and other interested parties about the accomplishments and needs of the Academy.
- Serves as a reference overview for new U.S. DOT, MARAD, Academy, and Board stakeholders.

The findings in this and previous Annual Reports are based on direct inspections and observations made during three or more visits by the Board to the Academy each year; oral reports and written documents provided to the Board by faculty and staff; survey data; and small group and individual discussions with Midshipmen, faculty, staff, administration, alumni, members of the maritime industry, and higher education accreditors. Recommendations are based on the Board members' collective knowledge of best practices and emerging trends and issues in higher education and the maritime industry, and on members' expertise.

Over the past several years, the Academy has resolved all of the issues raised in the 2009 Government Accountability Office (GAO) Report: *Internal Control Weaknesses Resulted in Improper Sources and Uses of Funds; Some Corrective Actions Are Under Way*. The Academy's Capital Improvement Plan (CIP) is appropriately funded and is being implemented to rebuild and renovate dilapidated infrastructure. Renovations are still in progress; it is vital that funding continue at a sufficient level to fully restore the functionality and safety of the Academy's infrastructure.

Academy faculty are implementing a new curriculum and formalizing a leadership development program. Additionally, the Commandant of Midshipmen has completely revamped his division's approach to leadership development. Components of this approach are already being executed this academic year, with full implementation anticipated in academic year 2016-2017. These initiatives should be applauded, although it is too early to say whether the initiatives in this area will meet the high, comprehensive leadership standard set by the Secretary and in place at the other Federal Service Academies.

Funds have been restored to support faculty development and maintain academic and training equipment. Relationships between the academic and Regiment leaders are stronger. Essentials such as access to nutritious food, strong academic student support services, and vibrant campus life activities are improving. The Academy and MARAD leadership are communicating regularly with the USMMA Alumni Association and Foundation (AAF). Substantive progress has been made towards meeting the goals and objectives established in the Strategic Plan. In short, the Academy is heading in the right direction.

Despite these successes, three areas require immediate and continuing attention as the Academy charts its future: Safety of Midshipmen; Changes to Maintain Regional Accreditation; and Strategic Plan and Performance Measures for the Academy. These areas comprise the focus of this 2016 report.

The appendices contain the Strategic Plan's goals and objectives and describe the Academy's substantive progress in meeting nearly all of these goals and objectives. The appendices also describe how the Academy is complying with the Secretary's 2014 Directives and meeting the Board's recommendations contained in previous Annual Reports. Where applicable, the Board has updated its recommendations.

In addition, the appendices provide related background information on the Academy. There is an overview of the institution's degree programs, a comparison between the Academy and State Maritime Academies (SMAs), a summary of events shaping the Academy's recent history, and the full text of Academy policies relating to sexual harassment, assault, and discrimination.

## Areas for Immediate and Continuing Focus

### 1. Safety of Midshipmen – Preventing and Ending Sexual Harassment and Assault

As reported in the preliminary *2014-2015 Report to Congress on Sexual Assault and Sexual Harassment* (available at [www.marad.dot.gov/wp-content/uploads/pdf/S10-160111-011-2014-15-Report.pdf](http://www.marad.dot.gov/wp-content/uploads/pdf/S10-160111-011-2014-15-Report.pdf)), and as observed by the Board, there is clear evidence the Academy has deployed reasonable and customary methods used at other institutions of higher education and service academies to prevent sexual harassment and assault. However, sexual harassment and sexual assault is still occurring at the Academy; this continued trend is alarming.

#### *Midshipmen Experiences of Sexual Harassment and Assault*

Data in the preliminary *2014-2015 Report to Congress on Sexual Assault and Sexual Harassment* show that between 119 and 149 of the Midshipmen enrolled at the Academy experienced sexual harassment (translating to 63 percent of women and 11 percent of men). Based on the Academy's definition, sexual harassment is a situation in which Midshipmen experienced inappropriate conduct and/or believed that their status in a course, activity, program, or the Regiment would be adversely affected if they did not participate in a sexual activity. Sexual harassment constitutes what a reasonable person would consider a hostile working environment. Crude or offensive behavior is considered "unwelcome conduct" and does not constitute sexual harassment.

Sexual harassment has a direct, negative impact on Midshipmen. To gain a better understanding of Midshipmen's experiences of sexual harassment, a Board member met with Midshipmen who had completed over 300 days at sea. The person who selected the Midshipmen to participate in the discussion and the participants themselves did not know the purpose of the discussion in advance. The Midshipmen said that sexual harassment at sea was a common occurrence and provided specific examples of harassment that they personally experienced or observed.

For example, they described in detail being stalked while serving on board a ship. The ship is an environment in which a stalker knows a Midshipman's location nearly all of the time and may observe and speak to a Midshipman unexpectedly and frequently. The Midshipmen also reported that in some cases, stalking continued after they left the ship and returned to the Academy. In some situations, stalkers continued to collect information about a Midshipman's whereabouts and activities through personal and industry networks. The Midshipmen explained that crew members change vessels and shipping lines frequently, so the fear of meeting a stalker continues from assignment to assignment.

Midshipmen's behaviors such as responding to jokes, comments, and asking questions were frequently mistaken as invitations for sexual advances. Some Midshipmen were ridiculed for simply having religious beliefs.

Midshipmen described severe consequences for both men and women who resisted unwanted sexual advances, objected to degrading or denigrating comments, came to a colleague's defense and/or refused to participate in hazing, drinking, bullying, or sexual promiscuity. Some Midshipmen said that information needed to complete required sea projects was withheld for periods of time—or entirely. Some were prohibited from learning specific tasks that were supposed to be part of the Sea Year experience.

In both the interviews and in the preliminary *2014-2015 Report to Congress on Sexual Assault and Sexual Harassment*, Midshipmen said that they did not report the abuse and assault they experienced at sea or ashore because they strongly believed that their future career opportunities would be jeopardized if they did so. They expressed that they truly wanted to serve their country as mariners and that the knowledge and skills they gained at sea were invaluable in preparing them for leadership roles in the industry and armed forces. The Midshipmen reported they feel resigned to experiencing psychological and physical violence because they believed that abuse is a part of maritime culture. They also believed that the Academy and industry culture are too strong for a single victim to resist. As such they focus on earning their degrees and licenses and seek to serve their Nation under less abusive conditions.

Results from surveys and Advisory Board discussions with Midshipmen and Academy staff indicate that sexual harassment of male and female Midshipmen on campus is also a common occurrence. Midshipmen said that sexual harassment is usually unreported because some peers actively retaliate against other Midshipmen who have reported harassment and/or assault.

The Board also received credible information that some recent graduates of the Academy experienced sexual harassment and assault while fulfilling their Federal service obligation.

These personal accounts of unreported sexual harassment, documented reports of harassment and assault, as well as the findings in the preliminary *2014-2015 Report to Congress on Sexual Assault and Sexual Harassment* demonstrate that sexual harassment, assaults, and retaliation are not isolated, infrequent events.

## Recommendations

While U.S. Federal Service Academies are not bound by Title IX of the Education Amendments of 1972, the Academy seeks to comply with this statute as shown in its revised sexual harassment and assault policies. Title IX of the Education Amendments of 1972 protects people from sex discrimination in education programs or activities that receive Federal financial assistance. One of the requirements of this statute is that institutions must take immediate steps to address any sex discrimination, sexual harassment, or sexual violence to prevent it from affecting students further. If an institution knows or if it is reasonable to expect that the institution should know about discrimination, harassment, or violence that is creating a hostile environment for any student, it must act to eliminate it, remedy the harm caused, and prevent its recurrence.

Despite well-intentioned efforts by the Academy, sexual harassment, assault and retaliation are continuing. We, the Advisory Board members, as educators, maritime leaders and citizens, are not comfortable with the status quo. To be clear, the Advisory Board is not prescribing a solution. We are saying that there is a preponderous of evidence that many Midshipmen are likely to be subjected to sexual harassment in the coming months and some will be assaulted if the status quo continues. The Board discussed these concerns with the Academy and MARAD leaders as this report was being written.

### *Strategies to End Midshipmen Sexual Harassment and Assault*

The Academy and MARAD have initiated actions to stem sexual harassment, assault, and retaliation for reporting sexual violence. In May 2016, the Academy Superintendent and his direct reports took steps to eliminate retaliation and fear of retaliation by updating and expanding the Academy's policy against

sexual harassment, assault, and retaliation. The new policy is more comprehensive and specific (see Appendix G for the complete text). It provides amnesty, in most situations, for any infractions made by the victim, such as drinking, or violations of fraternizing, liberty (time off), leave, or accountability. Roles and responsibilities for preventing sexual harassment, assault, and retaliation have also been clarified and communicated to the Academy community. The Superintendent also approved a new position of an Assistant Sexual Assault Response Coordinator.

The MARAD Administrator and Deputy Administrator initiated discussions with seafaring union leaders and U.S. Flag maritime shipping owners/operators. MARAD is convening a meeting on June 24, 2016, to discuss sexual harassment and assault with industry leaders and to identify strategies to drastically improve the culture to enhance the safety of Midshipmen and all mariners.

To increase the safety of Midshipmen on campus and at sea, the Board recommends the following:

1. The Academy and MARAD should work with maritime industry leaders, and seafaring union leaders to take precautions to ensure that the Midshipmen who join their crews will be safe from harassment and assaults. This process has begun.
2. Performance indicators should be established to measure progress so that Midshipmen and the Academy Administration can be confident that Midshipmen will not be at undue risk, that incidents will be addressed promptly and forthrightly, and that there will be zero tolerance for retaliation against victims who report harassment or assault.
3. MARAD, maritime industry leaders, and seafaring union leaders must take a strong stand against sexual harassment, assault, and retaliation; and recognize that sexual harassment is not an acceptable practice that mariners should expect because of industry characteristics.
4. MARAD, maritime industry leaders, and seafaring union leaders should develop appropriate incentives and consequences for vessel captains, owners, and crew members to maintain a safe working and learning environment for Midshipmen and all mariners.
5. The Academy's faculty, Regiment, and staff should seek out and implement best practices from other SMAs and service academies and higher education institutions to greatly reduce victims' fear of reporting sexual harassment and assault crimes, and eliminate the retribution that victims experience, which is too often the norm.
6. The Academy's faculty, Regiment, and staff should create an interdisciplinary program to develop a leadership culture in which Midshipmen have empathy towards victims and stand up to perpetrators, instead of ostracizing and retaliating against victims.

## 2. Governance, Leadership, and Administration – Maintaining Regional Accreditation

The Academy is regionally accredited by the Middle States Commission on Higher Education and is seeking decennial reaccreditation. Regional accreditation is a primary indicator that an institution accomplishes its mission, achieves its goals, and has the resources and operating structure to provide its students with a quality education. The Commission's decision on the Academy's reaccreditation is expected in June 2016.

The Middle States Commission on Higher Education *Standards for Accreditation and Requirements of Affiliation* reflect contemporary practices of excellence in higher education. It is highly likely that U.S.

DOT, MARAD, and the Academy will need to make changes in the Academy's current governance and administration policies and statutes in order for the institution to maintain its current accreditation.

As a result of the 2009 GAO report, Congress directed U.S. DOT to implement extensive financial oversight procedures to more closely monitor the Academy's monthly budget management, hiring, and procurement activities. These procedures provided a layer of complexity to Academy management and operations, and have resulted in significant negative, if unintended, consequences. Budgeted and allocated funds are typically not disbursed within reasonable time frames. Procurement authority is severely limited. Emergency maintenance, such as fallen tree removal, is a lengthy process that requires multiple signatures. Recruiting and hiring processes for roles that are unique to higher education regularly extend over 200 days. Critical and essential positions remain unfilled for unacceptable periods of time. If discretionary budget authority was restored, the Superintendent could more effectively and efficiently accomplish the Academy's mission.

### Recommendations

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

1. MARAD and Congress should initiate an expedited process to change U.S. DOT policies and alter the language in the next National Defense Authorization Act to restore to the Superintendent the standard discretionary authority and management resources that are typically afforded to all other U.S. DOT department heads and senior administrators at academic institutions, including the other Federal Service Academies.
2. Analyze the governance, leadership, and administration requirements for accreditation to understand the expectations of the Academy's accreditors. 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 Annual Report.

### 3. Strategic Plan and Performance Measures – Advancing Strategic Goals and Objectives

An institution of higher education typically develops a strategic plan to develop and shape its programs and practices and evaluate success. A strategic plan is usually developed by faculty, staff, and students in collaboration with the institution's governing body.

The Academy's current Strategic Plan was driven by U.S. DOT senior staff at the direction of the previous Secretary. An agency contracted by the U.S. DOT developed the strategic planning process. This approach may have been appropriate during the unusual and extraordinary situation that the Academy was in between 2009 to 2012. However, some of the Academy faculty and staff who participated in the process 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, such as the athletics program, and they believed that some or many of the performance measures contained in the Plan were not particularly relevant to an academic institution. Consequently, it has been difficult for the Academy as a whole to work cohesively towards meeting the Plan's objectives. Debating past objectives and performance measures is not productive at this point, because the time frame covered by the Plan is about to expire. U.S. DOT, MARAD, and the Academy's faculty, administration, Regiment,

and staff have also become more cohesive than they were in 2009, although these stakeholders are not in complete alignment. There is an opportunity to resolve ongoing differences about the Strategic Plan's objectives and performance measures through the next strategic planning process.

### Recommendation

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

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

## Conclusion

The Academy has a long history of graduating accomplished mariners who serve the Nation as leaders. The Academy, with support from MARAD, U.S. DOT, Congress, alumni, the maritime industry, Military Sealift Command, and Midshipmen parents, has made progress in advancing the Academy's management, leadership, curriculum, student support services, culture, faculty development, and infrastructure. Superintendent Helis, MARAD Administrator Jaenichen, and Secretary Foxx should be commended for their consistent and substantive support to advance the Academy's mission. The Academy is on the right path.

The Academy, MARAD, and U.S. DOT should continue to work towards full implementation of the CIP and the Secretary's 2014 Directives. As time and budget allow, the Board's recommendations from its previous Annual Reports should be prioritized and resources allocated for implementation.

There is a moral imperative to immediately address the issues of sexual harassment, assault, and retaliation on campus and at sea. The findings of the Middle States Commission on Education will undoubtedly point to changes that need to be made without delay to preserve the Academy's standing as an accredited institution of higher education. Unless the strategic planning process begins in earnest in the very near future, the Academy will soon be operating without substantive guiding vision and strategy.

The Board recommends that Secretary Foxx and his administration prioritize the three areas discussed in this report for the remainder of 2016 and recommends that these issues should be the priority of the next Secretary and his/her administration. Significant progress can be made using current budget and staffing resources.

## Appendix A: Overview of Recent USMMA Strategic Activities

### 2009–2012

During Ray LaHood’s tenure as Secretary of Transportation from 2009-2013, the Academy was on course to continue as the premier institution in maritime education and strengthen “its place as a crown jewel of America’s service academies.” Providing top-notch education to America’s merchant mariners became a significant objective in strengthening the U.S. economy and national security (Fast Lane Blog Site, 2012). The Academy thus became and continues to be a top priority for both MARAD and Secretary Foxx, who succeeded Secretary LaHood in July 2013.

A 2009 GAO investigation prompted the Academy to make reforms to ensure continued excellence. The investigation identified areas where the Academy could improve, including the Academy’s ability to carry out its basic stewardship responsibilities, compliance with the Americans with Disabilities Act and other legal and regulatory requirements, and the ability to efficiently achieve its primary mission—to educate Midshipmen. Based on their findings, the GAO submitted 47 independent recommendations to U.S. DOT to improve internal controls and accountability, as well as rectify improper and questionable sources and uses of funds.

Between 2009 and 2012, then Secretary LaHood and MARAD worked with the Academy’s leadership to address the issues raised in the GAO report. Two plans were developed to address the findings: 1) a CIP to repair or replace dilapidated buildings and infrastructure; and 2) the 2012-2017 Strategic Plan, which sought to clarify and advance the Academy’s mission, reinforce the Academy’s core values, strengthen governance, and develop an institutional culture that embraces and promotes diversity. (See [Appendix C](#) for the Strategic Plan’s goals and objectives.)

In 2012, Admiral James A. Helis was appointed as Superintendent of the Academy.

### 2013

In May 2013, Secretary LaHood appointed the USMMA Advisory Board to evaluate the Academy’s course of instruction and management annually, publish annual reports on Academy improvements, and advise the Secretary, MARAD Administrator, and Academy Superintendent.

### 2014

In its 2014 Annual Report, the Board provided 29 recommendations to meet the goals established in the Academy’s Strategic Plan. Secretary Foxx approved the Board’s comprehensive assessment and recommendations and issued Directives to USMMA and MARAD to act urgently on four recommendations to improve the academic experience and quality of life for Midshipmen, within existing budgetary and staffing constraints:

- Develop a comprehensive leadership program;
- Establish a program to routinely evaluate faculty teaching methods;
- Upgrade the dining experience for Midshipmen and visitors; and
- Hire an experienced individual to help USMMA leadership promote a positive campus culture and allocate appropriate funding to improve Midshipmen quality of life.

Remaining recommendations were prioritized and implemented at later dates, based on resource constraints and the budgeting process.

Additionally, in early 2014, the Academy and MARAD initiated or implemented corrective actions in response to the recommendations in the GAO report. Management and employee roles and responsibilities for sources and use of funds were clearly defined. As stated in the U.S. DOT Budget Estimates, Fiscal Year 2016, MARAD, page 41, February 2, 2015, the Academy's actions on these recommendations were fulfilled to the satisfaction of the GAO.

## 2015

In May 2015, the Board issued its second Annual Report, which found that the Academy was making progress in achieving the goals and objectives outlined in the Strategic Plan. The Directives issued by Secretary Foxx in 2014 were either met or in process, and the most urgent recommendations by the Board were also met or in process:

- The Academy's physical infrastructure and facilities were in the process of being improved, with a plan for continued investment in place.
- Food quality and availability improved and was being actively monitored.
- Faculty were given more opportunities for professional development and best-in-class practices for assessing teaching effectiveness were adopted.

The Board recommended that the Secretary, MARAD, and the Academy stay the course and continue working towards achieving the 2014 Directives and recommendations. They also recommended that the faculty and the Regiment continue to cultivate the leadership development program at the Academy without increasing the academic load on faculty and Midshipmen. The Board also advocated for the allocation of resources to support the faculty's interest in strengthening institutional assessment capabilities in making data-driven decisions, which not only is the norm in higher education, but is also a requirement for reaccreditation.

As of the writing of this Annual Report (June 2016), and as a result of dedicated efforts and collaborative commitment, the Academy has made progress responding to nearly all of the recommendations in the Board's 2014 Annual Report.

The leadership of the Superintendent, MARAD, and Secretaries LaHood and Foxx, along with support from the Congressional Board of Visitors, has strengthened the Academy's ability to meet previous recommendations. The Academy is committed to continuous improvement and Academy members are working more effectively together with each other and with external stakeholders to achieve the mission of USMMA:

"To educate and graduate licensed merchant mariners and leaders of exemplary character who will serve America's marine transportation and defense needs in peace and war."

## Appendix B: Overview of USMMA and State Maritime Academies

USMMA is one of five U.S. Federal Service Academies. It offers five Bachelor of Science degrees in Marine Transportation, Marine Logistics and Security, Marine Engineering, Marine Engineering Systems, and Marine Engineering and Shipyard Management. The USMMA operates on a trimester system, which combines in-resident study and study onboard an operating merchant marine ship or other approved vessel. Total in-residence credits for the Bachelor of Science degree vary from 143 to 155, with an additional 20-22 credits earned in 300 or more days at sea.

USMMA Midshipmen typically graduate in four years. When they are not at sea, Midshipmen live on campus and they are members of the Regiment. Midshipmen pay annual fees while on campus in residence for laundry, dry cleaning, haircuts and hair styling, and tailoring services. Tuition, uniforms, housing, food, course materials, and virtually all other associated expenses are paid by the Federal government. To graduate from the Academy, Midshipmen must earn a bachelor's degree consisting of coursework in core technical subjects and general education subjects, pass a rigorous exam to earn a U.S. Coast Guard Merchant Mariner Credential with officer endorsement, and fulfill requirements for commissioning as officers in the U.S. Navy Reserve or for active duty service in a branch of the Armed Forces.

USMMA typically admits approximately 260 freshmen annually and maintains a graduation rate of 70 percent or an average of 213 graduates annually. Nearly 100 percent of graduating Midshipmen are employed within six months and can choose to work five years in the United States maritime industry, with eight years of service as an officer in any reserve unit of the military or five years of active duty in any of the Nation's Armed Forces. The mariner credential earned at graduation must be maintained in active status for at least six years.

The Academy also offers a 36 credit hour Master of Science degree in Marine Engineering that is conducted entirely online. The Master's program typically enrolls 20 students annually and courses are instructed by four full-time faculty and 10 adjunct faculty members.

Faculty instruct Midshipmen through direct instruction in classrooms, and facilitate applied and experiential learning during three trimesters that the Midshipmen spend at sea, on the training vessel *Kings Pointer*, through assignments, equipment in laboratories, simulators, and other onboard resources. The Academic Division has identified the following five goals for student learning outcomes:

- Critical and creative thinking and problem solving;
- Oral and written communication;
- Use of technology;
- Understanding and operating in a diverse global environment; and
- Continued intellectual and professional development.

Direct and indirect measures assess the Midshipmen's attainment of desired learning outcomes.

The Academic Center for Excellence coordinates an organized system of academic support services. The faculty use a well-developed system of alerts to identify Midshipmen who are falling behind in their

studies and propose solutions. Faculty hold regular office hours to meet with students and make themselves available outside office hours, as needed. Midshipmen also have access to on-demand tutoring through an online service that is available 24 hours a day, seven days a week.

Midshipmen may participate in a wide array of athletics programs, social and cultural activities, student organizations, and local community service activities.

All Midshipmen are members of the Regiment that is led by a Commandant of Midshipmen and supported by approximately 20 staff members who oversee a full range of activities to support the Regimental life of Midshipmen. Midshipmen have specific roles to ensure that the Regiment runs in an efficient and well-disciplined manner.

Faculty, Regimental leaders, staff, athletic coaches, and the administration work together to provide a robust and interdisciplinary formative experience to develop exemplary graduates who effectively serve the Nation.

The Academy is regionally accredited by the Middle States Commission on Higher Education and is currently seeking decennial reaccreditation. Regional accreditation is a primary indicator that an institution accomplishes its mission, achieves its goals, and has the resources and operating structure to provide its students with a quality education. The Commission's decision on reaccreditation is expected in June 2016.

A regionally accredited institution may also seek program-level accreditation. Program-level accreditation is an indication that a specific degree's curriculum meets rigorous industry and academic standards. The Marine Engineering and the Marine Engineering Systems degree programs have programmatic accreditation from the Accreditation Board for Engineering and Technology, Inc. (ABET). ABET is a non-governmental organization that accredits post-secondary education programs in applied science, computing, engineering, and engineering technology. Graduation from an ABET-accredited degree program is a requirement for obtaining many professional licensures and enhances career opportunities for Midshipmen. ABET-accredited degree programs are due for reaccreditation in 2017.

## SMA's

SMA's differ from USMMA in several ways. At a SMA, cadets typically earn a bachelor's degree in four years and spend between 60 to 180 days working with other cadets under the direction of a licensed mariner on a training vessel provided by the Department of Transportation. Depending on the SMA's policies and the Cadet's degree program, some cadets serve a portion of the required sea time on approved commercial vessels. Cadets incur expenses such as tuition, food, course materials, etc., similar to students at other colleges and universities. Typically, cadets may live on or off campus. They graduate with a bachelor's degree and are not required to earn a Merchant Marine Credential with officer endorsement, although some SMA offer a credentialing track that requires more sea time. Credentialing-track cadets generally graduate in a five-year period and may be required to participate in Regiment of Cadets activities. SMA graduates do not receive a commission as an officer in the Armed Forces and there is no Federal service obligation except for those that receive funding from MARAD through the Student Incentive Program (approximately 75 graduates per year). Upon graduation, a large percentage of graduates seek employment with for-profit and nonprofit companies and government agencies. A small percentage of SMA graduates enter the Armed Forces.

## Appendix C: USMMA Strategic Plan Goals and Objectives

### *Cutting-Edge Programs*

Goal: Deliver integrated and innovative academic, professional, and regimental programs to prepare Midshipmen for leadership and service to the Nation.

Objectives:

- Faculty across the Academy who are recognized as global leaders and experts in the maritime field.
- The Academy is recognized as a world leader in maritime education, training, and policy advancement
- Innovative programs that are in step with emerging industry trends and technology to ensure 100 percent placement of Academy graduates in the maritime industry or armed forces.
- A comprehensive and integrated approach to academic, regimental, mental, and physical fitness programs that provides lasting benefits to Midshipmen.

### *Leadership*

Goal: Strengthen leadership, organizational capacity, and governance of the Academy at all levels.

Objectives:

- Effective leaders who exercise ownership, teamwork, and accountability at all levels, creating an environment of trust and confidence among all stakeholders.
- Strong alignment and integration with the programs and policies of U.S. DOT and MARAD.
- Effective engagement with Advisory Board and Board of Visitors.

### *Campus Culture*

Goal: Create a vibrant, diverse, and inclusive culture to attract and educate best-in-class maritime leaders.

Objectives:

- A strong sense of collegiality, institutional ambition, engagement, and high morale among faculty, staff, and Midshipmen.
- Strong diversity of staff, faculty, and Midshipmen.
- Increased global understanding among Midshipmen.

### *Infrastructure*

Goal: Modernize the infrastructure and strengthen administrative services to support outstanding scholarship.

Objectives:

- Operational infrastructure that is safe, secure, connected, and sustainable.
- Trained, qualified, and dedicated staff who deliver a full complement of operational services across the Academy in accordance with best practices.

### ***Communication and Partnerships***

Goal: Improve communication and build strong and lasting relationships with external stakeholders.

Objectives:

- The Academy is recognized as the world's premier maritime educational institution.
- Strong, collaborative partnerships with industry, U.S. Navy, U.S. Coast Guard, and other Federal services and agencies.
- The Academy is valued as a "good neighbor" in the Great Neck and Long Island communities as well as the greater New York metropolitan region.
- Strong support and giving from alumni, parents, and other key stakeholders.

## Appendix D: Summary of the Academy’s Progress towards Meeting the Secretary’s Directives and Board’s Recommendations

Table 1 provides a summary of the Secretary’s immediate and long-term Directives issued after the Board’s 2014 Annual Report, the Board's assessment of progress made to date on meeting these Directives, as well as reference information for previous Annual Reports.

**Table 1. Secretary’s Directives and Board’s Assessment of Progress**

2012-2017 Strategic Plan Goal	Secretary’s Directive	2014 – 2016 Progress Assessment	Annual Report Cross Reference (Year, Page, Recommendation)
<a href="#">Cutting Edge Programs</a>	Develop a comprehensive leadership program.	Phase 1 implemented in 2015 Phase 2 to be implemented in September 2016.	2014, Page 6, 2A 2014, Page 7, 2C 2014, Page 9, 3E 2015, Page 7, 1C
	Encourage faculty to be more available to Midshipmen.	Achieved.	2014, Page 9, 3F
	Appoint an industry advisory entity.	Partially achieved; Interim Academic Dean taking the lead.	2014, Page 5, 1D
	Develop a faculty hiring strategy to ensure diverse and qualified faculty.	Partially achieved; U.S. DOT policy modification needed to achieve objective.	2014, Page 5, 1A
	Identify policy changes and resources to support greater professional development opportunities for faculty.	Partially achieved; U.S. DOT policy modification needed to achieve objective.	2014, Page 5, 1B
	Conduct a comprehensive review of education equipment especially simulators and information technology (IT) infrastructure; and explore use of private funding.	Partially achieved; Interim Academic Dean taking the lead.	2014, Page 5, 1C
<a href="#">Campus Culture</a>	Upgrade the dining experience for Midshipmen and visitors.	Partially achieved; policy modification needed to achieve objective.	2014, Page 9, 3G 2014, Page 9, 3H
	Hire an experienced individual to help USMMA leadership promote a positive campus culture and allocate appropriate funding to improve Midshipmen’s quality of life.	Achieved and obtaining desired results.	2014, Page 9, 3D

2012-2017 Strategic Plan Goal	Secretary's Directive	2014 – 2016 Progress Assessment	Annual Report Cross Reference (Year, Page, Recommendation)
<a href="#">Communication and Partnerships</a>	Improve relationships with USMMA alumni by strengthening and expanding communications.	In progress.	2014, Page 12, 3A

Table 2 provides a brief overview of the Board's recommendations from the 2014 and 2015 Annual Reports, a summary of the Board's assessment of progress the Academy has made towards meeting these recommendations, and reference information for previous Annual Reports. See [Appendix E](#) for additional details on the 2014-2015 recommendations and the Board's assessment of progress made towards meeting them.

**Table 2. Board's Recommendations and Assessment of Academy Progress**

2012-2017 Strategic Plan Goal	Board Recommendation	2014 – 2016 Progress Assessment	Annual Report Cross Reference (Year, Page, Recommendation)
<a href="#">Cutting Edge Programs</a>	Backfill the Director of Institutional Assessment position to create processes and metrics to assess overall institution-level learning outcomes, including leadership development. Use the institutional assessment data for institutional planning, budgeting, and continuous improvement.	Director of Institutional Assessment was hired and began work on 16 May 2016. A committee of faculty and staff are developing institutional-level learning outcomes. Two program specialists for the Institutional Assessment Office were added to the list of priority hires in 2016.	2014, Page 7, 2C 2015, Page 6, 4 2015, Page 7, C
	Examine learning outcomes and success rates for each course, and develop a grading rubric that is transparent to Midshipmen.	Some progress. More work is needed to make grading rubrics transparent to Midshipmen.	2014, Page 9, 3A
	Develop and implement an interdisciplinary approach to curriculum development and programming that includes the four pillars of Academics, Regiment, Physical Fitness, and Sea Year	Focus for second half of 2016.	2014, Page 5, 1G 2014, Page 6, 2A
	Improve international visibility and collaboration by developing USMMA as a venue for conferences and encouraging	To be prioritized. No significant findings.	2014, Page 5, 1E 2014, Page 5, 1F

2012-2017 Strategic Plan Goal	Board Recommendation	2014 – 2016 Progress Assessment	Annual Report Cross Reference (Year, Page, Recommendation)
	visiting professorships.		
<a href="#">Leadership</a>	Re-evaluate the governance structure of the Academy in light of requirements for accreditation and operational effectiveness. Make adjustments, as appropriate, to improve governance effectiveness.	Focus for second half of 2016.	2014, Page 7, 2B
	Develop an interdepartmental planning and budgeting process to prioritize and optimize use of limited financial and human resources.	Progress expected in preparation for Fiscal Year 2018 budget, due fall 2016.	2014, Page 5, 1G 2015, Page 7, C
	Develop a Human Capital Plan for staff and faculty to create and support a culture of continuous improvement and individual development.	To be prioritized. No significant findings.	2014, Page 7, 2D
<a href="#">Campus Culture</a>	Backfill the Admissions Officer position and make a higher level of commitment to diversity and social justice.	Admissions Officer has been hired and will start work on 13 June 2016.	2014, Page 9, 3B
	Update job descriptions and performance measures for company officers. Resolve Midshipmen’s confusion on expectations and ensure equity in the disciplinary process.	Priority for the new Commandant. Process is underway.	2014, Page 9, 3C
	Provide opportunities for Midshipmen, faculty, and staff to work together to develop dynamic, engaging activities and opportunities for leadership development.	Priority for the Director of Student Activities. The Board has heard many positive remarks from Midshipmen about the new activities.	2014, Page 9, 3E
<a href="#">Infrastructure</a>	Restore the Superintendent’s discretionary ability to adjust budgeted funds to repair and maintain facilities, equipment, and grounds at the Academy level without multiple approvals and time delays.	Assessment planned in second half of 2016.	2014, Page 10, 4A
	Increase staff and financial resources to maintain facilities and grounds at a higher	Assessment planned in second half of 2016.	2014, Page 10, 4B

2012-2017 Strategic Plan Goal	Board Recommendation	2014 – 2016 Progress Assessment	Annual Report Cross Reference (Year, Page, Recommendation)
	standard. Repair facilities, equipment and grounds more quickly to protect the health and safety of the Midshipmen, faculty, and staff.		
<a href="#">Communication and Partnerships</a>	Backfill approved External Affairs positions.	Position filled in summer, 2015. Additional position is on list of priority hiring actions.	2014, Page 12, 5C
	Continue the work of the Meaningful Communication and Partnerships Team to identify characteristics that distinguish Kings Point graduates.	To be prioritized when positions are filled.	2014, Page 12, 5D
	Develop and maintain an alumni database and deepen alumni connections to expand opportunities for Midshipmen.	To be prioritized when positions are filled.	2014, Page 12, 5E
	Expand efforts to highlight accomplishments of graduates to the U.S. Navy, Strategic Sealift Officer Program, U.S. Army, National Guard, National Oceanic and Atmospheric Administration, U.S. Marine Corps, U.S. Air Force, and U.S. Coast Guard.	To be prioritized when positions are filled.	2014, Page 12, 5F
	Develop and expand partnerships with Kings Point graduates who have leadership roles in industry.	New 2016 Commandant has added an alumni panel to each term's Regimental training to bring in graduates who can discuss importance of leadership development. Panel launches June 2016.	2014, Page 12, 5G
	Arrange for Midshipmen to accompany faculty and staff to relevant maritime conferences and events to expand their professional networks.	Partially achieved. Initial activities have been well received.	2014, Page 12, 5H

## Appendix E. Details on the Academy’s Progress towards Meeting Board’s Recommendations

Appendix E provides details of the Board’s assessment of the Academy’s progress towards meeting recommendations included in the 2014 and 2015 Annual Reports.<sup>1</sup> It also includes the Board’s updated recommendations that reflect progress made to date. The sections below are organized according to the five elements of the 2012–2017 Strategic Plan (Cutting-Edge Programs, Leadership, Campus Culture, Infrastructure, and Communication and Partnerships).

### 1. Cutting-Edge Programs

<b>2012-2017 Strategic Plan Goal:</b> USMMA aspires to “deliver integrated and innovative academic, professional, and Regimental programs to prepare Midshipmen for leadership and service to the Nation.”
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<b>Overall Board Recommendation:</b> Build and maintain highly effective faculty, up-to-date educational equipment, and an interdisciplinary academic curriculum.
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#### Status of Academy Progress and Updated Recommendations

<b>Recommendation 1A. Faculty Hiring</b> Develop a faculty hiring strategy to ensure adequate numbers of hires and the flexibility to hire adjuncts with unique skill sets.
<b>Status:</b> Partially achieved

USMMA employs 141 part- and full-time faculty, 85 percent of whom are tenured or tenure-track. Many of the faculty in the two major-granting departments, Marine Engineering and Marine Transportation, hold unlimited master’s Merchant Mariner Credentials or unlimited chief engineer’s Merchant Mariner Credentials. Instructional faculty consist of a balance of civilians and active duty military officers. The pool of qualified faculty candidates who meet the rigorous standards for employment at the Academy is limited.

Although the Academy has developed a hiring strategy, it had not been effective. Recruiting and screening processes are centralized at the U.S. DOT. Recruiting and screening staff are well intentioned, but they are often unfamiliar with higher education-specific terminology in position descriptions and academic vitae. The current process prevents Academy faculty and staff from participating in recruiting and screening. The result is a protracted recruiting and screening. For example, in 2016, critical academic and student support positions were typically unfilled for over 200 days.

The compensation negotiation process is also problematic. Recruiting staff are not well versed in compensation for higher education professionals and extend below market offers to candidates, even when a higher compensation package has been budgeted and approved. Academic recruiting and hiring is a

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<sup>1</sup> In 2015, the Board recommended that the Academy/MARAD/U.S. DOT continue to work towards achieving all 2014 recommendations and proposed one additional recommendation.

specialized skill and the Academy is the only department within the U.S. DOT that hires academic professionals.

*Updated Faculty Hiring Recommendations*

1. Create an orderly process to transition Academy hiring processes, resources, and authorities for higher education-specific positions from the U.S. DOT to the Academy.
2. Alternatively, create a special unit within U.S. DOT Human Resources to recruit and hire academic professionals and involve Academy subject matter experts in the marketing, screening, and hiring process.

<p><b>Recommendation 1B. Faculty Support</b></p> <ol style="list-style-type: none"><li>1. Provide support for faculty to improve their teaching effectiveness, such as release time for curriculum improvement and development, as well as time for peer observations, teaching evaluations, and other feedback mechanisms.</li><li>2. Make modest policy changes to provide release time flexibility and encourage faculty attendance at conferences and participation in other professional development activities.</li></ol>
<p><b>Status:</b> Partially achieved</p>

Faculty effectiveness is assessed in two ways: survey responses from Midshipmen and faculty observations by Department Heads. Based on the 2014 Directive from the Secretary, the Academy has established a program to routinely evaluate faculty teaching methods in the classroom. Faculty have increased the frequency of feedback and observations over the past three years and are developing methods to utilize the data for continuous improvement.

Professional development funding, including funding for travel to scholarly conferences, has increased over the past three years with the Secretary’s support and 2014 Directive to identify policy changes and resources that provide greater professional development opportunities for faculty. However, Federal government travel policies have been interpreted in such a way that limits faculty participation in scholarly and professional development.

*Updated Faculty Support Recommendations*

1. Make modest policy changes to provide flexibility for faculty to attend conferences and participate in other professional development opportunities.
2. Provide the Superintendent with delegated responsibility to manage allocated funding for travel throughout the year.

<p><b>Recommendation 1C. Educational Equipment and Infrastructure</b></p> <ol style="list-style-type: none"><li>1. Conduct a comprehensive review and upgrade of educational equipment, particularly the engine room simulator, and include IT infrastructure.</li><li>2. Explore opportunities to use private funds to develop this infrastructure, including renovating academic buildings and enabling wireless access across campus.</li></ol>
<p><b>Status:</b> Partially achieved</p>

The Academy’s faculty use audio visual equipment, computer technology, lab equipment, and simulators to teach Midshipmen the essential knowledge and skills they need to master their disciplines and learn the

critical skills they need to serve our Nation in peacetime and war. With support from the Secretary, capital expenditures for learning technology, equipment, and simulators have increased appropriately over the past three years and some end-of-life equipment has been replaced. However, standard procurement procedures used by non-educational departments of the government are being applied to the Academy. The number of permissions required and the timeline to repair equipment is unreasonable for an educational institution. As a result, faculty and Midshipmen do not consistently have access to the learning equipment and technology they need to teach and learn.

To operate effectively, the Academy must continue to have sufficient capital funding for educational equipment. It must also have more authority to use operating expenses to maintain equipment, as needed, to ensure that working equipment is available for teaching and learning.

*Updated Educational Equipment and Infrastructure Recommendations*

1. Create a rolling three-year forecast of educational equipment capital investments and maintenance needs and report to the Secretary on a quarterly basis, at a minimum.
2. Restore the Superintendent’s discretionary ability to use budgeted operating expense funds to repair and maintain facilities, equipment, and grounds without multiple approvals.

<p><b>Recommendation 1D. Curriculum Development</b></p> <ol style="list-style-type: none"> <li>1. Appoint an industry advisory entity with the specific mandate to assist the USMMA with curriculum development.</li> </ol>
<p><b>Status:</b> Partially achieved</p>

A hallmark of higher education is regular and systematic input on curriculum from industry and education experts. Faculty members have expressed the need for ongoing interactions and information exchanges with the industry. These interactions are fundamental to their ongoing professional development, and for the placement of Midshipmen upon graduation. In 2014, the Secretary issued a Directive to appoint an industry advisory entity with the specific mandate to assist the USMMA faculty with curriculum development. The Marine Engineering faculty have made some progress to comply with this Directive by soliciting input from marine industry professionals through an informal Engineering Industry Roundtable. This informal entity should be formalized and advisory entities should be established for the other degree programs. This is a higher education best practice and will provide evidence for the faculty to use during the upcoming 2017 reaccreditation review to substantiate that the Marine Engineering and the Marine Engineering systems degree programs are relevant and are providing Midshipmen with a high-quality education.

*Updated Curriculum Development Recommendation*

1. Appoint an industry advisory entity by December 2016 with the specific mandate to assist the USMMA faculty with curriculum development.

<p><b>Recommendation 1E. Professional Development</b></p> <ol style="list-style-type: none"> <li>1. Provide concrete support for faculty to attend international conferences.</li> <li>2. Develop Kings Point as a venue for conferences. This would increase the visibility of USMMA and offer faculty and Midshipmen more interactions with the scientific community.</li> </ol>
<p><b>Status:</b> Partially achieved</p>

USMMA has talented faculty, many of whom are considered subject matter experts and have received numerous accolades. They also contribute to the literature in their fields by writing and editing books and articles for peer-reviewed publications. Professional development activities, such as attending and presenting at professional conferences, would further enhance the faculty’s credentials and increase the visibility of USMMA. Prior to Fiscal Year 2015, the Academy’s budget for faculty professional development ranged from \$26,000 to \$40,000. In Fiscal Years 2015 and 2016, the budget was increased to \$120,000. Funding is sufficient and should cover training requirements and other faculty professional development activities, such as making presentations at professional conferences.

There are still two challenges impeding the accomplishment of the first part of this recommendation. One is a strict “travel cap” from the Office of Management and Budget (OMB) that applies to all government agencies and departments. This means that once the travel limit is reached, additional travel approvals are unlikely. For example, although \$120,000 was budgeted for annual travel in Fiscal Year 2016, only a third of allocated funds were approved for travel. The second impediment is the requirement to request all travel at the start of the fiscal year. Faculty members often do not know until several months before a professional conference whether or not they will attend, especially if they are awaiting approval to present a scholarly paper. This process for allocating funding precludes faculty members from attending professional conferences in the middle and latter half of the fiscal year.

*Updated Professional Development Recommendations*

1. Continue to provide funding for faculty to participate in conferences so that they contribute to their profession and enhance the reputation of the Academy.
2. Make modest policy changes to the travel policy and delegate decision-making authority to the Superintendent.

<b>Recommendation 1F. International Collaboration</b>
1. Encourage visiting professorships (such as sabbaticals) to foster international collaboration.
<b>Status:</b> Progress made

Starting in the second term of Academic Year 2015-2016, the Academy has granted a sabbatical to one faculty member for each term through Term Two of Academic Year 2016-2017. Future expectations are to grant at least three instructors a sabbatical each year. One faculty member is presently on sabbatical and traveling internationally to research the use of liquefied natural gas in the maritime industry.

*Updated International Collaboration Recommendation*

None

<b>Recommendation 1G. Institutional-Level Learning Outcomes</b>
1. Encourage interdepartmental coordination (particularly between students’ academic and Regimental lives) on planning and budgeting to leverage resources.
2. Take a more integrated approach to curriculum development and programming.
<b>Status:</b> Partially achieved

The Academy has established a committee to develop institution-level learning objectives in accordance with higher education best practices and accreditation standards. The leadership development program is also

addressing how to best integrate curriculum needs and Regimental training in order to optimize the Midshipmen’s development. With clarity and agreement on institutional objectives and priorities, the Academy will be able to more effectively develop its Fiscal Year 2018 budget.

*Updated Institutional-Level Learning Outcomes Recommendation*

None

<b>Recommendation 1H. Data Collection and Analysis<sup>2</sup></b>
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| <ol style="list-style-type: none"><li>1. Strengthen the Academy’s capability to collect and use data in a meaningful way to support decisions and align with <i>Characteristics of Excellence in Higher Education: Requirements of Affiliation and Standards of Accreditation</i>.</li></ol> |
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<b>Status:</b> Partially achieved
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To support student learning, in 2013 the Superintendent created the Institutional Effectiveness Council to review and document improvements in overall institutional well-being. Each department and program was directed to establish a mission and goals, mapped to the USMMA strategic goals. The Director of Institutional Assessment drafted an Institutional Effectiveness Handbook and many divisions, programs, and units across the Academy have been using the Handbook. However, since the departure of the Director of Institutional Assessment in February 2015, progress towards an integrated and systematic institutional assessment process has stalled.

The Academy would benefit from a systematic assessment strategy and process to share assessment results, discuss results with appropriate constituents, and use the data for institutional planning, resource allocation, and institutional renewal, in accordance with accreditation standards.

*Updated Data Collection and Analysis Recommendations*

1. The Superintendent should work with an interdisciplinary team led by a qualified Director of Institutional Assessment to create processes and metrics to assess overall institution-level learning outcomes. The Director of Institutional Assessment is an important position for ensuring that the Academy sustains an effective institutional assessment process. This process will provide data to guide the Academy’s ability to more fully integrate and synchronize its efforts to support and develop Midshipmen.
2. All divisions, units, and programs should fully implement assessment processes that provide them the information they need to identify how well they are achieving their goals and/or objectives, as well as actions for improvement. These assessment results should provide input for institutional assessment, planning, and resource allocation.

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<sup>2</sup> Recommendation 1H is from the 2015 Annual Report and was identified as recommendation “C” in that report (see 2015 Annual Report, page 7).

## 2. Leadership

**2012-2017 Strategic Plan Goal:** USMMA aspires to “strengthen leadership, organizational capacity, and governance of the Academy at all levels.”

**Overall Board Recommendation:** Develop and evaluate a comprehensive leadership and governance approach to leverage synergies between academic and Regimental arenas and effectively address accreditation needs.

### Status of Academy Progress and Updated Recommendations

#### **Recommendation 2A. Leadership Development**

1. Develop a comprehensive approach to leadership development that addresses synergies between academic and Regimental student experiences.

This could involve engaging all segments of the USMMA community, including students, faculty, administrators, alumni, the Advisory Board, the Board of Visitors, and MARAD, drawing on best practices from other institutions, including but not limited to, the other service academies.

This could also involve developing leadership programs for Midshipmen that help enhance students’ understanding of leadership and acquiring the skills necessary for exercising leadership effectively.

**Status:** Partially achieved

The Board is pleased to report that there has been significant progress in developing programs for Midshipmen to become leaders in times of peace and war. The Secretary’s priority item in his letter and Directives to the Superintendent in July 24, 2014, was “the development of a comprehensive leadership development program.”

The faculty have embraced the addition of leadership to the academic program and a faculty committee is creating a sequence of two required core courses in leadership for the 2016–2017 academic year. In addition, an elective course on leadership has been well received. Increased attention to leadership is now an element of the athletics program. Undoubtedly, the Secretary’s clear language and reiteration of the importance of the leadership initiative in a past visit to campus have made an impact in moving it forward.

#### *Updated Leadership Development Recommendation*

1. Acknowledge the progress that has been made in moving ahead on leadership development for Midshipmen and maintain progress on this initiative. The future addition of two required courses is a great step forward, but it is well short of the Secretary’s vision to create “a comprehensive leadership development program that integrates academic and Regimental student experience and places leadership development at the forefront of the Academy experience.”

**Recommendation 2B. Governance**

1. Analyze each area of the accreditation process where additional governance structures and oversight are needed and articulate key entities' roles, including responsibilities for oversight and execution. Key entities are senior administrators at USMMA and MARAD, the Advisory Board, and the Board of Visitors.

**Status:** Partially achieved*Overview of Academy Governance Structure*

The Secretary has delegated responsibility for policy development and decision-making at the Academy to the MARAD Administrator. U.S. Code (46 CFR 310.67) states that “the Superintendent of the Academy is delegated authority to issue all regulations necessary for the accomplishment of the Academy’s mission.” The relationship between the Superintendent, MARAD, and the U.S. DOT is strong. The statutory and regulatory guidance on authority for operating the Academy appear sound. Historically, however, these relationships and internal controls were ineffective. Primarily in response to the 2009 GAO audit of the Academy, key business processes such as financial management, procurement, and human resources were transferred from USMMA to the U.S. DOT.

The net effect is that the Superintendent, as the Chief Executive Officer of the institution, does not in practice currently have the means, authority, and responsibility—assigned or delegated—to effectively and efficiently accomplish the Academy’s mission. It is clear to the Board that no one is intentionally impairing the ability of the Superintendent to effectively run the Academy. However, there are unintended consequences resulting from the current governance structure, which include:

- *Timelines.* Hiring timelines for new personnel are excessively long and do not include disciplinary experts in the review of applicants; some faculty believe the best qualified applicants are not being hired.
- *Key personnel vacancies.* The Director of Institutional Assessment, Director of Admissions, Academic Dean, Chief Financial Officer, Human Resources Officer, and other key administrator positions are all currently vacant or occupied by interim staff. It is important that these positions be filled with educational leaders with appropriate skills, credentials, and training.
- *Resource allocation.* The budget approval process and subsequent resource allocation process is cumbersome. Much of the annual budget is not available to the Superintendent until late in the fiscal year, so resources cannot be effectively obligated against requirements in a timely manner during the year.
- *Maintenance approval.* Maintenance, such as emergency repairs to heating and cooling systems or removal of downed trees blocking passage on driveways, is approved very slowly. This presents risk to the health, comfort, and safety of Midshipmen, faculty, and staff.
- *Funding increments.* Use of appropriated funds is sub-optimized when the Superintendent has to enter into 30-day contracts with vendors and providers because funds are only released to spend in 30-day increments from October to May.
- *Statutory authorities.* The U.S. Senate Committee on Appropriations “directed MARAD to conduct a legal review of existing statutory authorities of the USMMA and identify limitations that impede its ability to operate effectively and efficiently” (Senate Report 113-182). Congress recognizes that there are concerns regarding the Academy’s governance structure. MARAD also agrees that changes must be made to restore authorities to the Superintendent. That document is still undergoing departmental and interagency review.

### *Assessment of Current Academy Governance Climate*

With the exception of human resources, financial, and procurement functions, the USMMA leadership and governance structure appears sound and generally consistent with accepted practices in higher education. There continues to be measurable progress at the Academy itself. However, that progress is severely limited given the significant constraints of having to operate with substantial management authority having been taken away from the senior team on site and “temporarily” vested in U.S. DOT during the 2009 crisis (as described in the 2009 GAO audit) that engulfed the Academy.

That crisis has largely passed. Concerns cited in the GAO audit and the subsequent report have been addressed and resolved to GAO’s satisfaction. The audit is closed. Superintendent Helis’ arrival in 2012 brought sound management practices to the Academy, to the extent possible under conditions where the Superintendent does not have authority over the Academy’s budget, procurement, and human resources activities—all essential for running an institution.

Under Helis’ tenure, management roles and responsibilities have been clarified, there has been an increase in two-way communication with faculty, staff, and students; on the whole, high-priority issues have been addressed. Midshipmen complete surveys anonymously about their academic experience in individual courses every trimester. There are periodic faculty and staff satisfaction surveys. The Board experienced positive change in its regular, off-the-record conversations with Midshipmen, staff, and faculty during visits to the Academy. Rear Admiral Helis holds regular town meetings. The senior staff is substantially more cohesive and aligned than the Board sensed previously. Faculty attitudes, as measured in surveys and observations made by Board members during open meetings with faculty and in small groups and one-to-one discussions, indicate that faculty attitudes are improving.

Faculty morale is still uncharacteristically low, compared to faculty morale at peer Federal Service Academies and institutions with which Board members are familiar. Reasons for low morale, as reported by the faculty, include several years of “receivership” resulting from the Academy’s loss of authority to manage its budget, procurement, and hiring processes. Other reasons include their classification as “non-essential” Federal employees when the Academy was closed during government shutdowns while other Federal Service Academies remained open. Excessive red tape and delays in filling open positions and lack of authority to spend budgeted funds in a timely manner also contribute to faculty malaise.

Civil communication between the Superintendent and the USMMA AAF has begun after years of contentiousness. While the issues have by no means been resolved, the fact that they are talking regularly is a huge step in the right direction. The Superintendent has been appropriately attentive to his relationships with MARAD, the Office of the Secretary (OST), and the Board of Visitors.

The return of statutory authority is long overdue. Further delay puts the Academy’s accreditation at risk.

### *Updated Governance Recommendation*

1. The Board strongly believes that the remaining issues around governance at the Academy must be addressed by first returning appropriate management authority over budget, procurement, and human resources to Superintendent Helis and his team.
2. Additionally, the Board encourages members of the Board of Visitors to ensure that the Academy is treated in the same manner as other Federal Service Academies during sequestrations, government shutdowns, and similar events.

**Recommendation 2C. Sound Leadership**

1. Refine existing and define new performance measures to measure progress towards meeting the Sound Leadership goal; evaluate these metrics with the Advisory Board.

**Status:** Not started

*Updated Sound Leadership Recommendation*

None

**Recommendation 2D. Human Capital Plan (HCP)**

1. Develop an HCP for staff and faculty to emphasize the need for continuous improvement and individual development.
2. Examine best practices at other service academies on how to effectively develop and assess HCPs. HCP activities should be part of the USMMA culture.

**Status:** Partially achieved

Human resource services are centralized at U.S. DOT and the Academy has no human resource professionals on staff to provide required services, such as compensation planning, succession planning, strategic human resource planning, recruiting, counseling, and managerial coaching and development. The U.S. DOT resource responsible for these essential tasks has been on long-term leave since the summer of 2015 and there is no near-term plan to provide these services to the Academy. This means the HCP is on hold until U.S. DOT Human Resources staff have the capacity to work on this recommendation.

*Updated HCP Recommendation*

1. Develop a means to provide essential strategic and operational human resource services to the Academy.

### 3. Campus Culture

**2012-2017 Strategic Plan Goal:** USMMA aspires to have a “vibrant, diverse, and inclusive culture to attract and educate maritime leaders who excel.”

**Overall Board Recommendation:** Promote a positive campus culture through enhanced student body diversity, increased student life opportunities, more transparent grading structures, improved food quality, and more accessible faculty.

#### Status of Academy Progress and Updated Recommendations

##### Recommendation 3A. Grading Rubric

1. Examine learning outcomes and success rates for each course and develop a grading rubric that is transparent to students.

**Status:** Unknown Progress

##### Updated Grading Rubric Recommendation

1. Incorporate a systematic curriculum improvement process and improve the clarity of grading rubrics into the overall institutional assessment process.

##### Recommendation 3B. Admissions and Diversity

1. Increase the pay and benefits budget to fund the approved admissions officer position.
2. Make a higher level of commitment to diversity training and social justice to help the Academy expand its diversity among women and minorities; this could include producing a formal Academy statement outlining the institution’s commitment to increasing diversity.

**Status:** Achieved

The Academy has made strong progress towards the goal of increasing racial and gender diversity. As shown in Table 3, females comprise 20 percent of admitted students for the graduating class of 2019 versus 13 percent of admitted students for the graduating class of 2014. Racial diversity of admitted students has increased as a percentage of total students admitted for five out the past six years, as is shown in Table 4.

**Table 3. Female Student Enrollment, Graduating Class Years 2014-2019**

	2014	2015	2016	2017	2018	2019
<b>Enrollment</b>	44	42	41	38	47	50
<b>Percentage of Class</b>	13%	15%	15%	16%	19%	20%

**Table 4. Minority Enrollment, Graduating Class Years 2014-2019**

	2014	2015	2016	2017	2018	2019
<b>Total Academy Student Enrollment</b>	342	285	273	237	252	255
<b>Minority Enrollment</b>	52	48	55	54	69	54
<b>Percentage of Class</b>	15%	17%	20%	23%	27%	21%
<b>African-American</b>	9	5	6	8	10	5
<b>Asian</b>	19	17	22	18	22	18
<b>Latino/Hispanic</b>	19	23	25	26	30	24
<b>Native American</b>	5	3	2	2	7	7

*Updated Admissions and Diversity Recommendation*

1. The Academy should continue to focus on creating a highly qualified, diverse student body with the academic, physical fitness, and leadership potential to become licensed merchant mariners and leaders of exemplary character, who will serve America's marine transportation and defense needs in peace and war.

<p><b>Recommendation 3C. Company Officers</b></p> <ol style="list-style-type: none"> <li>1. Update job descriptions and establish performance measures for company officers to ensure they have recent industry and command experience.</li> <li>2. Provide opportunities for officers to increase their campus presence and encourage ways for them to serve as role models for Midshipmen. The preferred method for hiring company officers should be term appointments, subject to review from experienced officers (company officers are usually hired as civil servants and after several years in this position tend to have less relevant experience).</li> </ol>
<p><b>Status:</b> Partially achieved</p>

Midshipmen survey results indicate a decline in the perception of equality and fairness at the Academy. The new Commandant who joined the Academy in 2015 is addressing these concerns head on with a focus on effectiveness of company officers, communication and fairness when enforcing regulations, and quality of Midshipmen mentorships.

*Updated Company Officers Recommendations*

1. Assess the effectiveness of actions to resolve these issues in the next Midshipmen survey, and follow up through periodic focus groups and more targeted surveys.
2. Adjust actions accordingly to create a culture of fairness and equality.

**Recommendation 3D. Campus Culture and Student Life**

1. Hire a staff member, such as a Vice President of Student Life, with experience in building a positive campus culture, in addition to two support staff.
2. Allocate an appropriate budget for student life, leadership development, and cultural programs.

**Status:** Completed

An experienced Director of Student Activities was hired in 2015 and had an immediate positive impact on the quality and tone of student life at the Academy. With support from alumni, opportunities for recreational and intercollegiate sports have improved. Social and cultural activities have been expanded, particularly on weekends, giving Midshipmen who do not have liberty to leave the Academy options for constructive social interaction. A robust schedule of events is planned and coordinated by Midshipmen with guidance and leadership from the Director of Student Activities. The Superintendent and members of staff and faculty regularly volunteer to chaperone Midshipmen on cultural outings.

*Updated Campus Culture and Student Life Recommendations*

1. Continue to provide funding for cultural outings and community service.
2. Incorporate cultural and community service activities into the Academy’s overall institutional goals and assessment program.
3. Collect and use data for continuous improvement.

**Recommendation 3E. Faculty and Student Collaboration**

1. Provide opportunities for students, faculty, and staff to work together to develop dynamic, engaging student life activities and opportunities for leadership development.

**Status:** Completed

This recommendation is being accomplished in several ways. The Director of Student Activities is collaborating with faculty, staff, and Midshipmen to create dynamic, engaging student life activities and opportunities for leadership development. Through a new strategic planning process, it is anticipated that faculty, staff, and Midshipmen will also work together to create a vision, set goals and performance measures, and identify strategies to achieve these goals.

*Updated Faculty and Student Collaboration Recommendations*

None

**Recommendation 3F. Faculty Office Hours and Teaching**

1. Ensure that faculty honor office hours and evaluate their curriculum and teaching methods on a rotating schedule to ensure up-to-date content and teaching methods.

**Status:** In process

The former Academic Dean and the current interim Academic Dean have addressed this recommendation. Midshipmen regularly complete course evaluations. Faculty routinely receive feedback from peers and/or managers and use it to improve their teaching effectiveness. With support from MARAD and U.S. DOT, the Academy will have the funding and discretionary authority to maintain essential teaching and learning equipment, and make it readily available to faculty and Midshipmen. With the implementation of the new

industry advisory entity and institutional assessment program, data and input will be used to continuously improve the curriculum and ensure it is cutting edge, relevant, and effective in accomplishing the mission of the Academy.

*Updated Faculty Office Hours and Teaching Recommendations*

1. Re-evaluate office hour policies and adjust as needed to ensure office hours and the time spent monitoring them are effective.
2. Continue actions to establish an industry advisory entity.
3. Implement a comprehensive institutional assessment program.
4. Ensure sufficient funding to replace and/or maintain necessary teaching and learning equipment.
5. Restore authorities for managing the approved budget to the Superintendent.

<b>Recommendation 3G. Nutrition and Dining Services</b>
<ol style="list-style-type: none"><li>1. Hire a nutritionist to work with Dining Services to plan and prepare high-quality meals and snacks that meet students’ nutritional and dietary needs, and upgrade the dining experience.</li><li>2. Make food available for purchase during times when the dining hall is closed.</li></ol>
<b>Status:</b> In process



A review of the current food service provider’s contract identified nutritionist services were included. A nutritionist now works with the food service provider on a regular basis. The nutritious quality of food has improved, healthy snacks are available for purchase when the Dining Hall is closed, and all Midshipmen can now keep approved snacks in the barracks. The performance of the food service provider is being closely monitored and documented. Lapses in service quality are being corrected more quickly.

*Updated Nutrition and Dining Services Recommendations*

1. Continue to monitor the quality and accessibility of food for all Midshipmen to ensure Midshipmen are adequately nourished.
2. Explore opportunities to expand the pool of potential food vendors by reevaluating the existing small business set-aside requirement.

<b>Recommendation 3H. Food Vendors</b>
<ol style="list-style-type: none"><li>1. Explore opportunities to expand the pool of potential food vendors by reevaluating the existing small business set-aside.</li></ol>
<b>Status:</b> Incorporated into recommendation 3G.

## 4. Infrastructure

**2012-2017 Strategic Plan Goal:** USMMA aspires to “modernize its infrastructure and strengthen administrative services to support outstanding scholarship.”

**Overall Board Recommendation:** Maintain Capital Improvement Funds to continue the implementation of the capital improvement plan. Increase maintenance resource levels and flexibility in applying resources to ensure a well-maintained infrastructure.

### Status of Academy Progress and Updated Recommendations

#### **Recommendation 4A. Funding Approval**

1. Restore the Superintendent’s discretionary ability to adjust budgeted funds to repair and maintain facilities, equipment, and grounds at the Academy level without multiple approvals.

**Status:** Discussions underway. Rationale for this recommendation is discussed in prior reports and in body of this report

#### **Recommendation 4B. Capital Improvements**

1. Increase staff and financial resources to maintain facilities and grounds at a higher standard.
2. Repair facilities, equipment, and grounds more quickly to protect the health and safety of the Midshipmen, faculty, and staff.

**Status:** Partially achieved

In February 2012, OST established a USMMA CIP working group to monitor project progress. The primary responsibilities of the working group, which is chaired by the OST Deputy Assistant Secretary for Budget and Programs, are to review the status of and current issues affecting all CIP projects and implement and monitor a tracking system for all ongoing projects. The Academy has made progress with capital improvements over the past few years:

- Renovations of the barracks and dining hall were completed, and heating and cooling issues have largely been resolved.
- Mallory Pier, the Academy’s major waterfront asset, has been reconstructed.
- A space utilization study was completed and work is about to begin on academic buildings.
- Campus security has improved by adding emergency lighting, emergency call boxes, armed security guards, and improved locks on dormitory entrances and academic buildings.
- A comprehensive review of IT needs has been completed, and a funding request for improved optic cable has been included in the Fiscal Year 2017 budget.

#### *Updated Capital Improvements Recommendations*

1. Continue planned funding for capital improvement.
2. Maintain current levels of funding for maintenance and increase staff to maintain facilities and grounds at a higher standard.
3. Repair facilities, equipment, and grounds more quickly to protect the health and safety of the Midshipmen, faculty, and staff.

## 5. Communication and Partnerships

**2012-2017 Strategic Plan Goal:** The USMMA aspires to “improve communication and build strong and lasting relationships with external stakeholders.”

**Overall Board Recommendation:** Strengthen alumni relationships and highlight alumni professional contributions to enhance students’ educational and professional development opportunities.

### Status of Academy Progress and Updated Recommendations

#### **Recommendation 5A. Alumni Relationships and Communication**

1. Improve USMMA’s alumni relationships, which have been strained in the past.
2. Strengthen and expand communications with alumni to share more information about the accomplishments and needs of the Academy.

**Status:** Partially achieved

The Academy and the USMMA AAF both recognize their strained/broken relationship and have shown a desire to improve this relationship. There are regular monthly meetings between the Superintendent and the AAF President. There are also regular senior-level meeting/communications with the new AAF board chairman. The Director of External Affairs serves as the Alumni Liaison. Town Hall meetings are conducted by the Superintendent for the general public and Alumni each trimester and include participation by MARAD senior officials. There is also a newsletter published bi-monthly. The Alumni have generously donated funding for items on the Needs List. Their support for the Midshipmen and the Academy are appreciated by multiple stakeholders including Midshipmen and their parents; Academy staff, faculty, administrators, and alumni; as well as MARAD and U.S. DOT as a whole.

#### *Updated Alumni Relationships and Communication Recommendation*

1. Continue efforts to improve USMMA’s alumni relationships.

Note: Recommendations 5B through 5G are listed on the next page.

#### **Recommendation 5H. Professional Networks**

1. Send faculty/staff representatives accompanied by Midshipmen to relevant maritime conferences to expand their professional networks.

**Status:** In process

Over the past three years, the number of faculty attending professional and industry events and conferences has increased; frequently Midshipmen are selected to accompany faculty to these events. Industry members participate in career fairs on campus and provide opportunities for Midshipmen to sail aboard approved vessels and gain real-world experience on working ships.

#### *Updated Professional Networks Recommendation*

1. Continue to involve Midshipmen in relevant maritime conferences to expand their professional networks.

**Recommendations 5B through 5G**

- 5B. Identify external stakeholders who are willing to partner with the Academy to fund needs on the Margin of Excellence list.
- 5C. Increase the pay and benefits budget to fund the approved External Affairs staff.
- 5D. Continue the work of the Meaningful Communication and Partnerships Team to identify characteristics that distinguish a graduate of Kings Point; use these as a centerpiece for communications and for evaluating progress towards the Strategic Plan goals.
- 5E. Develop and maintain an alumni database to retain and deepen alumni connections (e.g., encourage alumni to sponsor sea tour opportunities for Midshipmen).
- 5F. Expand efforts to highlight contributions made by graduates to the U.S. Navy, Strategic Sealift Officer Program, U.S. Army, National Guard, National Oceanic and Atmospheric Administration, U.S. Marine Corps, U.S. Air Force, and U.S. Coast Guard.
- 5G. Develop and expand partnerships with Kings Point graduates who have leadership roles in industry. This is an opportunity for private donors to contribute resources to meet the Academy's needs.

**Status:** On hold

Overall, there has been some progress towards meeting the objective of improved communication to build strong and lasting relationships with external stakeholders. There are efforts to educate the local community on the Academy and to establish stronger relationships with the mayors of Kings Point and Great Neck. Events such as a car show and Beat Retreat are open to the community. The color guard and band are participating in parades and other events. Weekly sports events are sent to the local press. Most press inquiries are from professional maritime magazines/journals.

However, substantive progress has been hampered by delays in filling the approved External Affairs positions.

***Update for Recommendations 5B through 5G***

If the USMMA aspires to “improve communication and build strong and lasting relationships with external stakeholders,” the External Affairs department should be appropriately staffed and funded.

## Appendix F: Academy Discrimination and Harassment Policy

Kings Point, New York

February 4, 2013

### **Superintendent Instruction 2013-02**

**Subj: Policy against Discrimination and Harassment, Including Sexual Harassment, of Midshipmen**

References: a) Title IX of the Education Amendments of 1972 (20 USC 1681-1688); b) Superintendent's Instruction 2012-08, Policy on Sexual Assault Prevention and Response; and c) other Federal, departmental, agency, or Academy policies governing personal conduct, discrimination, and harassment.

1. **Purpose:**

To establish policy, assign responsibilities, and set procedures outlining the Academy policy against discrimination or harassment, including sexual harassment, of Midshipmen.

2. **Applicability:**

This policy applies to all Academy Midshipmen.

3. **Supersedes:**

Superintendent's Instruction 2006-08, "Policy against Harassment, Discrimination or Sexual Harassment."

4. **Policy:**

- a) The Academy will not tolerate discrimination or harassment on the basis of race, national origin, color, religion, gender, age, sexual orientation, disability, marital status, genetic information or any other status protected by law. Whenever an alleged violation of this policy is brought to the Academy's attention, an investigation will be undertaken and, if a violation is found, prompt and effective corrective action will be taken.
- b) The Academy will use training, education and awareness to minimize discrimination and harassment, will offer assistance and counseling to victims of discrimination and harassment and will hold those who violate this policy accountable.
- c) This policy applies-
  - i) Both on and off the Academy and during duty and non-duty hours.
  - ii) To working, living and recreational environments (including at the Academy, off the Academy at Academy events and at sea).

- d) The Academy will treat all victims of discrimination and harassment with dignity, fairness, and respect. A victim's rights include the following:
  - i) The right to be treated with fairness and with respect for his or her dignity and privacy.
  - ii) The right to have his or her complaint fully and fairly investigated and, if a violation of the policy is found, the right to expect appropriate corrective action is taken.
  - iii) The right to receive any required medical care or mental health support.
- e) The Academy will treat every reported incident of discrimination and harassment seriously by following proper guidelines. The information and circumstances of the allegations will be disclosed on a need-to-know basis only.

5. **Definitions:**

- a) **Discrimination and Harassment:** Generally, discrimination is unfavorable or unfair treatment of a person or class of persons in comparison to others who are not members of the protected class because of race, national origin, color, religion, gender, age, sexual orientation, disability, marital status, or any other status protected by law. Harassment, whether verbal, physical or visual, that is based on any of the protected classes, is a form of discrimination. This includes harassing conduct that unreasonably interferes with an individual's academic performance or creates what a reasonable person would perceive is an intimidating, hostile or offensive environment.
  - i) Examples of discrimination and harassment include, but are not limited to, the following:
    - a) Basing a grade or other academic decision on stereotypes or assumptions about a person's protected status;
    - b) Jokes or epithets about another person's protected status;
    - c) Repeated suggestions, comments, teasing, or joking directed at a person based on his or her protected status;
    - d) Displaying, sharing, or circulating written materials or pictures that degrade a person or group based on protected status; and
    - e) Verbal abuse or insults about, directed at, or made in the presence of an individual or group of individuals in a protected group
- b) **Sexual Harassment:** Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other unwelcome verbal or physical conduct of a sexual nature or conduct directed at a person because of his or her gender, including, but not limited to, when:
  - Submission to such conduct is made either explicitly or implicitly a term or condition of status in a course, program, or activity, including Regimental duties, or
  - Submission to or rejection of such conduct is used as a basis for an academic or Regimental decision affecting the individual, or for a decision regarding an individual's status in a course, program or activity, including Regimental duties, or
  - Such conduct has the purpose or effect, when judged from the perspective of a reasonable person in the position of the complaining individual of substantially interfering with an individual's academic or Regimental performance, or

- Such conduct has the purpose or effect, when judged from the perspective of a reasonable person in the position of the complaining individual, of creating an intimidating, hostile or offensive learning environment.
- i) **Quid pro quo sexual harassment** is the conditioning of academic or Regimental benefits on an individual's submission to unwelcome sexual conduct.
  - ii) **Hostile environment sexual harassment** is unwelcome sexual conduct or conduct directed at an individual because of his or her gender that is sufficiently severe or pervasive to create an intimidating, hostile, or offensive academic or Regimental environment.
  - iii) Examples of sexual harassment include, but are not limited to, the following:
    - a) Unwanted flirtation, advances or propositions of a sexual nature;
    - b) Insults, humor, jokes, or anecdotes that belittle or demean an individual's or a group's gender or sexuality;
    - c) Unwelcome sexual comments about an individual's body or clothing;
    - d) Displays of sexually suggestive objects or pictures;
    - e) Unwelcome touching, such as patting, pinching, hugging, or brushing against an individual's body; or
    - f) Sexual assault (see Superintendent's Instruction 2012-08).

6. **Procedures:**

- a) Midshipmen may report instances of discrimination, harassment, or sexual harassment (with the exception of sexual assault, which must be reported pursuant to Superintendent's Instruction 2012-08) through their chains-of-command; company officers and other Commandant's uniformed staff members; chaplains; Midshipmen counselors; Midshipmen Human Relations Officers; or any trusted advisor, coach, or faculty or staff member. After-hours, 24rT, reports may be made to the Command Duty Officer (COO) and the Duty Chaplain.
- b) **Requirement to Report:** Staff members, Midshipmen officers, and Midshipmen Human Relations Officers receiving reports of harassment, sexual harassment, or discrimination are responsible for forwarding the information to the Commandant or the Deputy Commandant to stop the harassing behavior, for investigative and possible disciplinary action, and to provide for the safety and support of alleged victims. Individuals who fail to report such allegations will be held accountable for such failure.
- c) **Prohibition against Retaliation:** Loyalty to our core values and to our Academy must supersede misplaced "loyalty" to someone who has violated the law and betrayed our values. Thus, no individual shall be retaliated against in any way by a member of the Academy community for participation in this complaint procedure. Every effort will be made to protect members of the Academy community so that they may use or participate in this complaint procedure without fear of reprisal or retaliatory action. Threats or other forms of intimidation, and retaliation against the victim, witnesses or any other individual implementing or using the complaint procedure are a violation of this policy and, thus, may be grounds for disciplinary action. Individuals who believe they have been retaliated against in violation of this policy should

immediately notify their chain of command. Supervisors, Midshipmen, or commissioned officers and other personnel in the chain of command will be held accountable for ensuring that such behavior does not occur.

- d) **Alleged Victim Misconduct:** In any reported case of discrimination, harassment, or sexual harassment, the Academy will defer adjudication of any alleged misconduct by the victim until the final disposition of the case.
- e) **Privacy and Confidentiality:** See Superintendent's Instruction 2006-10 Privacy and Confidentiality.
- f) **Education and Training:** Training is required for all Midshipmen, faculty, administrators, and staff. Specific attention will be paid to the education of all Midshipmen regarding preventing and reporting instances of discrimination, harassment, or sexual harassment of them or their fellow Midshipmen.

## 7. **Roles and Responsibilities:**

- a) The Commandant of Midshipmen shall:
  - i) Establish, monitor, and document a comprehensive annual education and training program for all Midshipmen.
  - ii) Oversee the appropriate investigative and disciplinary response to all Midshipmen-related allegations of discrimination, harassment, or sexual harassment.
  - iii) Ensure the safety, dignity, and necessary support of alleged Midshipmen victims of discrimination, harassment, or sexual harassment, as well as the fair and professional treatment of alleged Midshipmen perpetrators.
  - iv) Ensure that all members of the Commandant's staff are familiar with the provisions of this policy.
  - v) Shall establish procedures and guidelines for reporting instances of harassment, sexual harassment, or discrimination made through the chain-of-command.
  - vi) Shall offer the assistance of an advocate to the victim.
- b) The Head, Department of Professional Development & Career Services shall:
  - i) Develop appropriate procedures for Midshipmen to report incidents of discrimination, harassment, or sexual harassment during sea year training or during an internship.
  - ii) Provide appropriate training in responding to incidents of discrimination, harassment or sexual harassment during sea year training or during an internship, including reporting the incident and seeking guidance from vessel personnel, shipping company personnel, or the Academy.

- iii) Obtain and disseminate to Midshipmen the discrimination and harassment policies of the shipping and internship companies to which Midshipmen are assigned.
- c) The Deputy Superintendent shall:
  - i) Establish, monitor, and document a comprehensive annual education and training program for all faculty, administrators, and staff.
  - ii) In collaboration with the Commandant, oversee the appropriate investigative and disciplinary response to all Midshipmen-related allegations of discrimination, harassment, or sexual harassment made against a faculty member, administrator, or staff member.
- d) The Director of Civil Rights shall:
  - i) In collaboration with the Deputy Superintendent, develop and provide training to Midshipmen on cultural diversity, discrimination, and harassment; including sexual harassment.
  - ii) Provide advisory service to faculty, administrators, staff, and Midshipmen on discrimination and harassment.
- e) All Academy Midshipmen, staff, faculty, and employees of tenant agencies shall:
  - i) Adhere to the provisions of this Instruction at all times.
  - ii) Report incidents of harassment, sexual harassment, or discrimination to a superior officer, supervisor, or other appropriate authority or agency.
  - iii) Respond to allegations of harassment, sexual harassment, or discrimination promptly and professionally.

**8. Effective Date:**

This policy shall go into effect immediately and shall remain in force until superseded or revoked.



James A. Helis  
Rear Admiral, USMS  
Superintendent

Dist. via Email

**Responsible Official:** Commandant

# Appendix G: Academy Sexual Assault, Dating Violence, Domestic Violence, Stalking, Prevention Education, and Response Policy

Kings Point, New York

20 May 2016

## SUPERINTENDENT INSTRUCTION 2016-02

**Subj:** SEXUAL ASSAULT, DATING VIOLENCE, DOMESTIC VIOLENCE, STALKING, PREVENTION EDUCATION, AND RESPONSE POLICY

**References:** (a) 20 U.S.C §1681, *et seq.*, Title IX of the Education Amendments of 1972 (as amended)  
(b) 20 U.S.C. §1092 (f), *The Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act*  
(c) 20 U.S.C. §1232g, *The Family Educational Rights and Privacy Act (FERPA)*  
(c) 42 U.S.C. §2000e, *et seq.*, Title VII of the Civil Rights Act of 1964 (as amended)  
(d) MAO 770-713-3, *Prevention and Elimination of Harassment in the Workplace*  
(e) and other Federal, departmental, agency, or Academy policies governing sexual assault.

1. **Purpose:** To establish policy, assign responsibilities, and set procedures outlining the United States Merchant Marine Academy (Academy) policy on sexual assault, dating violence, domestic violence, stalking, prevention education, and response that involves Midshipmen and/or Academy personnel.
2. **Applicability:** This policy applies to all Academy personnel, including Midshipmen, faculty, staff, and personnel of tenant agencies, whether Federal employees, military personnel or contract employees.
3. **Supersedes:** Superintendent's Instruction 2012-08, "Policy on Sexual Assault Prevention and Response."
4. **Policy:**
  - a) The Academy is deeply committed to fostering a safe campus where Midshipmen can thrive in an environment free of sexual assault, dating and domestic violence, and stalking. The Academy supports and nurtures a campus climate that allows Midshipmen, faculty, and staff to perform at their highest abilities while still being assured of their essential safety and well-being. Every member of the Academy community is responsible for fostering mutual respect and refraining from conduct that violates this policy. Sexual assault, dating violence, domestic violence, stalking and any other form of violence are unacceptable and will not be tolerated.
  - b) The Academy will use training, education, and awareness to minimize sexual assault, dating and domestic violence, and stalking, to promote the sensitive and professional handling of victims of sexual assault, to offer victim assistance and counseling, to hold those who commit sexual assault offenses accountable, to provide confidential avenues for reporting, and to reinforce a commitment to Academy values.
  - c) This policy applies –
    - i) Both on and off Academy grounds and during duty and non-duty hours.

- ii) To working, living, and recreational environments (including both at the Academy, off the Academy grounds, and at sea).
- d) The Academy will treat all victims of sexual assault, dating and domestic violence, and stalking with dignity, fairness, and respect. A victim's rights include the following:
  - i) The right to be treated with fairness and respect for his or her dignity and privacy, and to be free from any suggestion that he or she is at fault when these crimes and violations are committed, or that he or she should have acted in a different manner to avoid such crimes;
  - ii) The right to receive immediate and effective medical and/or psychological care and attention, including long-term follow-up treatment, if eligible;
  - iii) The right to be reasonably protected from the accused offender, and to be free from retaliation by the Academy, the accused, and/or their friends, family and acquaintances; and,
  - iv) The right, if desired, to confidential or restricted reporting of the sexual assault incident.
- e) The Academy will approach every reported incident of sexual assault, dating and domestic violence, and stalking seriously by following proper guidelines. The information and circumstances of the allegations will be disclosed on a need-to-know basis only.

5. **Definitions:**

- a) **Sexual assault** is a crime of violence defined as intentional touching of a sexual nature against the will (by use of force, physical threat, or abuse of authority) or without the consent of the victim. The victim of sexual assault can be male or female and the perpetrator of the sexual assault can be of the same or opposite sex. Sexual assault includes, but is not limited to, the following:
  - i) Unwanted kissing, groping, fondling, or other more aggressive physical acts, such as rape, nonconsensual sodomy (oral or anal sex), or attempts to commit these acts;
  - ii) Sexual contact with someone whom you reasonably should have known was impaired and, thus unable to consent, due to the use of alcohol or drugs (including prescription medications);
  - iii) Sexual contact with someone who is "passed out," sleeping, or otherwise incapacitated;
  - iv) Sexual contact with someone who is unable to say "no" and/or change their mind due to the presence of coercion or intimidation; and
  - v) Sexual contact with someone who is under the age of consent in the jurisdiction in which the sexual assault occurs.
- b) **Dating violence**, also known as relationship violence, is defined as controlling, abusive, behavior in a romantic and/or dating relationship. It can happen in straight or Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) relationships. It can include verbal, emotional, physical, or sexual abuse, or any combination thereof.
- c) **Domestic violence** is defined as controlling, abusive behavior which involves violence and/or other abuse by one person against another in a domestic setting, such as in marriage or cohabitation. Domestic violence can take place in heterosexual or same-sex relationships, and sometimes also involves violence against the children in the family. Domestic violence can take a

number of forms including physical, verbal, emotional, economic and sexual abuse, or any combination thereof.

- d) **Stalking** is a form of conduct directed at a specific person that would cause a reasonable person to feel fear. Stalking can occur in a dating relationship, friendship, or past relationship, or can be perpetrated by a stranger.
- e) **Consent** is an affirmative decision to engage in mutually agreed upon sexual activity and is given by clear words or actions. Consent may not be inferred from silence, passivity or lack of resistance alone. Consent to one form of sexual activity does not imply consent to other forms of sexual activity, and the existence of a current or previous dating or sexual relationship is not sufficient to constitute consent to additional sexual activity. Assent shall not constitute consent if it is given by a person who is unable to lawfully give his or her consent because of youth, disability, intoxication or other condition, or coercion or intimidation.

6. **Procedures:**

- a) Victims of sexual assault, dating or domestic violence, or stalking are strongly encouraged to report such assaults as soon as possible, whether the assault took place on or off campus. A victim has the option to make either a restricted or unrestricted report.
- b) Types of Reporting:
  - i) **Restricted Reporting:** Restricted reporting allows Midshipmen who are victims of sexual assault, dating violence, domestic violence or stalking, on a confidential basis, to disclose the details of their assault to specifically identified individuals and receive medical treatment and counseling at a location of the victim's choice (on or off-campus), without triggering the official investigative process. Midshipmen who are assaulted and desire restricted reporting under this policy should report the assault to the Academy's Sexual Assault Response Coordinator (SARC), or to a Victim Advocate (VA) or an Academy Health Care Provider (HCP), each of whom must immediately forward the report to the SARC. VAs or Academy HCPs who fail to report assaults to the SARC will be held accountable for such failure. Midshipmen may also confidentially report the assault to the Academy's Chaplain. This policy on restricted reporting is in addition to the current protections afforded privileged communications with a chaplain and does not alter those protections. Restricted reports cannot be made to anyone other than those identified in this paragraph. Midshipmen who initially elect to make a restricted report can, at any time after their initial restricted report, decide to pursue unrestricted reporting, which will result in the initiation of criminal and administrative investigatory proceedings. Sexual Assault Forensic Exam evidence kits collected from victims on restricted reports can only be kept for the duration of their stay at the Academy.
  - ii) **Unrestricted Reporting:** Unrestricted reporting allows Midshipmen who are victims of sexual assault, dating violence, domestic violence or stalking access to advocacy support, medical treatment, and counseling. In addition, an unrestricted report will result in the initiation of criminal and administrative investigations of their allegations. An unrestricted report can be made to the SARC, a VA, an Academy HCP, a Midshipman Human Relations Officer, Department of Public Safety, law enforcement, through the chain of command (including Company Officers and other Commandant's uniformed staff

members), or to any trusted advisor, faculty, or staff member. A report of sexual assault made to anyone other than the SARC must immediately be forwarded to the SARC, who will have primary responsibility for handling the report, including notifying the appropriate law enforcement personnel and the Academy staff responsible for the administrative investigation. Details regarding the incident will be limited to only those personnel who have legitimate need to know. Use of the unrestricted reporting option is encouraged as it provides for immediate formal criminal and administrative investigations. It is the only option that can lead to holding offenders accountable and preventing them from re-offending.

- c) Any Midshipman or other personnel who has been sexually assaulted or believes they may have been sexually assaulted should:
  - i) Get away from the attacker immediately to a safe place.
  - ii) Report the assault in one of the two ways described above in Paragraph 6(b).
  - iii) Preserve all evidence. Do not wash, comb, or clean any part of your body, and do not change clothes if possible.
  - iv) Protect the crime scene: close and lock the door where the crime occurred.
  - v) Seek medical care as soon as possible. Even if there are no visible physical injuries, there may be risk of becoming pregnant or acquiring sexually transmitted diseases.
  - vi) Agree to a sexual assault forensic examination to preserve evidence.
- d) **Requirement to Report:** Allegations of sexual assault, dating violence, domestic violence, and stalking received by any Academy Midshipman Officer, faculty member, staff member, contract employee, or other employee must be reported immediately to the SARC or to the VA on duty, who will take appropriate action pursuant to this policy. Individuals who fail to report such allegations will be held accountable.
- e) **Academy Response in Cases of Imminent Danger:** The Academy will ensure that a sexual assault victim's election between an unrestricted and restricted report is honored to the maximum extent possible. However, disclosure of confidential communications is authorized when there is imminent threat to the health or safety of the victim or another person.
- f) **Disciplinary Action for the Accused in Unrestricted Reports of Sexual Assault:** In addition to any criminal proceedings that may be instituted by Federal or local law enforcement authorities, the Academy may pursue an administrative investigation and disciplinary proceedings against an accused Midshipman pursuant to the Midshipman Regulations and/or Procedures for Superintendent's Disciplinary Hearing in the Case of Sexual Assault/Harassment. Other Academy personnel accused of sexual assault may be subject to investigation and discipline pursuant to the Maritime Administrative Order (MAO) 770-751, *Disciplinary and Adverse Actions*.

Throughout the disciplinary proceedings, the accused and the victim will have the following rights:

- i) The right to have access to an advisor of their choice. Participation of the advisor in any proceeding is governed by Federal law and the Academy's administrative procedures;
  - ii) The right to a prompt response to any complaint and to have their complaint investigated and adjudicated in an impartial and thorough manner by individuals who receive annual training in conducting investigations of sexual violence;
  - iii) The right to an investigation and disciplinary process conducted in a manner that recognizes the legal and policy requirements of due process and is not conducted by individuals with a conflict of interest;
  - iv) The right to have a disciplinary process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more 10 days except when law enforcement specifically requests and justifies a longer delay;
  - v) The right to exclude prior sexual history or past mental health history from admittance in Phase I (determination stage) of the disciplinary process. Past sexual violence findings may be admissible in Phase II (sanction stage) of the disciplinary process;
  - vi) The right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions;
  - vii) The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the sanction(s), if any; and
  - viii) The right to know the sanction(s), if any, imposed on the accused based upon the outcome of the disciplinary proceeding and the reason for the actual sanction, if any, imposed.
- g) **Prohibition Against Retaliation:** Loyalty to the Academy and its core values must supersede misplaced "loyalty" to someone who has violated the law and betrayed those values. Thus, no individual shall be retaliated against in any way by a member of the Academy community for participation in this complaint procedure. Every effort will be made to protect members of the Academy community so that they may use or participate in this complaint procedure without fear of reprisal or retaliatory action. Threats or other forms of intimidation and retaliation against the victim, witnesses, or any other individual implementing or using the complaint procedure are violations of this policy and, thus, may be grounds for disciplinary action. Individuals who believe they have been retaliated against in violation of this policy should immediately notify the SARC. Supervisors, Midshipman or commissioned officers, and other personnel in the chain of command will be held accountable for ensuring that such behavior does not occur.
- h) **Addressing Collateral Misconduct in Sexual Assault Cases:** Ensuring the safety of Midshipmen who report violations of this policy is the Academy's primary concern. In order to facilitate reporting, the Academy will, with limited exceptions, provide amnesty for certain disciplinary infractions to a Midshipman who reports an incident, whether directed towards that Midshipman or another Midshipman that are in violation of this policy.

Disciplinary infractions covered by amnesty include the following:

1. Alcohol related offenses, including underage drinking;
2. Violations associated with liberty, leave, or accountability;
3. Professional relationships, fraternization, and visitation between Midshipmen in Midshipmen rooms;
4. Sexual misconduct;
5. Visiting homes of Academy staff without authorization; and
6. Violations of any item associated with Class Rates and Privileges.

**Exceptions:** Amnesty will be considered on a case by case basis for the following:

1. Minor disciplinary infractions that place or placed the health or safety of any other person at risk,
2. Infractions for which a Midshipman has previously been found to have committed the same disciplinary infraction; or
3. Infractions that constitute honor offenses.

If amnesty is provided, no conduct proceedings or conduct record will result for such disciplinary infractions. Amnesty for these disciplinary infractions also may be offered to Midshipmen who intervene to help others before a violation of this Policy occurs and to Midshipmen who receive assistance or intervention. Abuse of amnesty requests may result in a decision by the Commandant not to extend amnesty to the same Midshipman repeatedly.

The Deputy Commandant of Midshipmen shall maintain records regarding the provisions of amnesty for at least five (5) years.

7. **Education and Training:** Prevention and response training is the most critical component to the success of the program. The goals of the program are to raise awareness and to train critical stakeholders in their part to end crimes of sexual assault, dating and domestic violence, and stalking. The following training requirements will serve as the minimum standard:
  - a) **Plebe Candidates** will receive prevention education training within the first two weeks of reporting to the Academy. The training will address issues of sexual assault, sexual harassment, dating and domestic violence, stalking, and bystander intervention.
  - b) **All Midshipmen** will receive annual awareness training on the topics of sexual assault, dating and domestic violence, and stalking (in addition to any other required training, such as Plebe Candidate training, or pre-Sea Year or Post-Sea Year training). Training topics will vary by class with the intent of actively raising awareness levels.
  - c) **Sea Year Midshipmen** will receive pre-sea year training to prepare them for the challenges of sea year, briefed on the need to become familiar with shipping company sexual harassment and sexual assault (SH/SA) policies, and receive post-sea year training to prepare them for reintegration to the Academy upon their return from sea.
  - d) **Midshipmen Officers** will receive leadership and bystander intervention training in an effort to prepare them to prevent and respond effectively to incidents of sexual assault. This training will be provided for each rotation.
  - e) **All Faculty, Administrators, and Staff** will receive annual training to raise awareness, advise on available resources to victims, and explain how to respond effectively to incidents of sexual assault.
  - f) **First Responders** such as chaplains, clinic personnel, Department of Public Safety and emergency medical technicians (EMT's) will receive annual training.
  - g) **Victim Advocates** will receive ongoing training on victim support topics to prepare them for their critical roles.

- h) The **SARC** will receive an annual minimum of 20 hours of continuing education in sexual assault prevention and response topics.

8. **Responsibilities:**

a) The **Superintendent** shall:

- i) Coordinate with the SARC to ensure that all faculty, administrators, and staff receive annual comprehensive training on sexual assault, dating and domestic violence, and stalking prevention and response and are familiar with the provisions of this Policy.
- ii) In accordance with MARAD policies, oversee the appropriate administrative investigatory and disciplinary response for all faculty, administrators, and staff allegations of sexual assault, dating and domestic violence, and stalking.
- iii) Ensure that victims of sexual assault, dating and domestic violence, and stalking receive sensitive care and support and are not subjected to retaliation as a result of reporting the incident.
- iv) Notify the SARC immediately of sexual assault, dating and domestic violence and stalking incidents involving faculty, administrators, and staff whether as victims or perpetrators.

b) The **Commandant of Midshipmen** shall:

- i) Ensure that victims of sexual assault, dating and domestic violence, and stalking receive sensitive care and support and are not subjected to retaliation as a result of reporting the incident.
- ii) Coordinate with the SARC to insure that all Midshipmen receive comprehensive training on sexual assault, dating and domestic violence, and stalking prevention and response, in small groups of approximately 30 Midshipmen or fewer, annually.
- iii) Schedule prevention education training for Plebe Candidates in small groups of approximately 30 students or fewer within the first two weeks of indoctrination training.
- iv) Ensure that all members of the Commandant's staff are familiar with the provisions of this policy.
- v) Distribute a wallet-sized card containing emergency contact information; cards can be obtained from the SARC.
- vi) Notify the SARC immediately of sexual assault, dating and domestic violence, and stalking incidents involving Midshipmen whether as victims or accused.
- vii) Inform victims of available victim advocacy services.
- viii) In consultation with the SARC, appoint a minimum of at least one Midshipman (1/C) as a Regimental Sexual Assault Victim Advocate (RSAVA), one Midshipman (1/C) as a

Regimental Human Relations Officer (RHRO), and a minimum of one Midshipman (1/C) per company as a Human Relations Officer (HRO). Ensure that selection of these Midshipmen takes into account leadership abilities, maturity level and the ability to provide support in highly charged situations.

- ix) Ensure sexual assault, dating and domestic violence, and stalking prevention information (posters, policy, victim advocate posters) are posted on all Company bulletin boards and in other locations deemed appropriate by the Commandant, such as in individual barracks rooms, barracks heads, etc.
- x) Require Midshipmen to attend annual training and any other required training and awareness events as necessary.

c) The **SARC** shall:

- i) Serve as the primary point of contact for any and all actions relating to sexual assault, dating and domestic violence, and stalking awareness, prevention, training, and victim advocacy.
- ii) Establish, monitor, and document a comprehensive prevention and education program for all Midshipmen, faculty, and staff.
- iii) Train and oversee the Victim Advocates in the performance of their duties.
- iv) Train and oversee RSAVA, RHRO and HROs in the performance of their duties.
- v) Ensure victims are properly advised of their options for restricted or unrestricted reporting. Maintain written records for all incidents.
- vi) Notify the Superintendent within 24 hours of any incidents of sexual assault, dating and domestic violence, and stalking. For the purpose of public safety, on restricted reports, report information concerning sexual assault incidents in a manner that does not reasonably lead to identification of the victim.
- vii) Serve as the central, confidential repository for all cases involving sexual assault, dating violence, domestic violence, and stalking incidents, including informing the Superintendent and/or the Commandant of Midshipmen of any emerging incidents, tracking investigations of cases, and serving as the point of contact for victims.
- viii) Coordinate and facilitate the monthly Sexual Assault Review Board (SARB) to discuss systematic issues regarding incidents and to discuss sexual assault prevention strategies and training program goals.
- ix) Produce materials to market the program such as posters, informational papers, and wallet-sized cards.
- x) Coordinate sexual assault, dating and domestic violence, and stalking awareness events, such as guest speakers, professional groups, etc. with assistance from the Regiment, Faculty, Staff, and Athletics.

- xi) Maintain 24/7 sexual assault hotline capability.
  - xii) Coordinate and facilitate sexual assault, dating and domestic violence, and stalking prevention training for the Academy with assistance from Victim Advocates and law enforcement, Academy Counsel, and appropriate professionals.
- d) **Victim Advocates** shall:
- i) Be supervised in the performance of their duties by the SARC.
  - ii) Report to and coordinate directly with the SARC when assisting a victim of sexual assault, dating and domestic violence, and stalking.
  - iii) Provide crisis intervention, referrals, and on-going non-clinical support to sexual assault, dating and domestic violence, and stalking victims.
  - iv) Inform victims of their options for restricted or unrestricted reporting and explain the scope and limitations of the VA's role as an advocate.
  - v) Be trained and certified by the SARC when all required initial training is complete.
- e) The **Head, Department of Professional Development & Career Services** shall:
- i) Develop specific appropriate procedures for Midshipmen to report incidents of sexual assault, dating and domestic violence, and stalking during sea years or internships, and incorporate the SARC within those procedures as an added resource for Midshipmen. Ensure the Sea Year Guide references current Academy and maritime industry sexual assault and sexual harassment policies, procedures and training requirements.
  - ii) Coordinate and schedule appropriate sexual assault prevention training and bystander intervention for all Midshipmen as part of their mandatory requirements before the first sea year, and assist with debriefing after their sea year to re-integrate Midshipmen into the regimental and educational setting.
  - iii) Provide Maritime industry best practice, advice and recommendations to update or improve sexual assault and sexual harassment training provided to the Midshipmen before they embark on their first sea year.
  - iv) Serve as a liaison between the Academy and shipping companies with respect to sexual assault and sexual harassment training and coordination of sexual assault and sexual harassment policies and reporting procedures.
  - v) Notify the SARC of any sexual assault or sexual harassment incidents within 24 hours of receiving information from a Midshipman and/or shipping company.
- f) The **Head, Department of Health Services** shall:

- i) Confirm training of appropriate medical personnel in handling the medical and psychological aspects of assisting victims of sexual assault, dating and domestic violence, and stalking.
    - ii) When required, and in consultation with Academy Counsel, initiate or develop Memoranda of Understanding (MOUs) and Memoranda of Agreement (MOAs) with non-Academy medical support agencies to ensure adequate response in areas of medical transport and counseling as needed.
    - iii) Notify the SARC when a Midshipman, faculty, or staff reports a sexual assault.
  - g) The **Head, Department of Public Safety** shall:
    - i) Provide sensitivity training in responding to victims of sexual assault, dating and domestic violence, and stalking as well as training on victim assistance, available resources, and related law enforcement responses.
    - ii) Partner with the local DOT OIG office, FBI office and the Kings Point and Nassau County Police Departments, as appropriate, to create response procedures when incidents of sexual assault are reported.
    - iii) Notify the SARC of all instances of sexual assault reports.
  - h) The **Command Chaplain** shall:
    - i) Provide pastoral and spiritual support to victims of sexual assault, dating and domestic violence, and stalking as requested by the victim.
    - ii) Encourage the victim to seek appropriate assistance and counseling.
    - iii) Direct incidents of sexual assault, dating and domestic violence, and stalking to the SARC with the victims consent, and maintain confidentiality and privileged communication at the request of the victim.
  - i) All **Academy Midshipmen Officers, staff members, faculty members, and contract employees or other employees** shall:
    - i) Adhere to the provisions of this policy at all times.
    - ii) Report incidents of sexual assault, dating and domestic violence, and stalking to the SARC or VA on duty.
    - iii) Respond to allegations of sexual assault, dating and domestic violence, and stalking promptly and professionally.
9. **Expiration:** This Superintendent Instruction goes into effect immediately and remains in effect until superseded or rescinded.

JAMES A. HELIS  
Rear Admiral, USMS  
Superintendent

Dist. via Email

**Responsible Official:** Superintendent

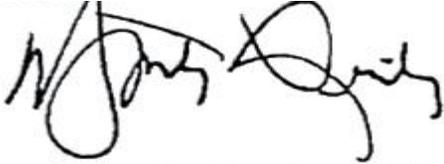
Respectfully Submitted to Secretary Foxx on July 8th, 2016 by the U.S. Merchant Marine Academy Board of Advisors:



Kathy Humphrey, Ph.D., Senior Vice Chancellor for Engagement and Chief of Staff, University of Pittsburgh



Laurie Leshin, Ph.D., President of Worcester Polytechnic Institute



Marty Linsky, Faculty, Harvard Kennedy School and co-founder, Cambridge Leadership Associates



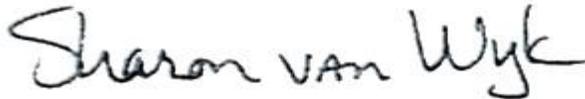
Manuel G. Maddox III, US Coast Guard Recruiting Command, Mission Support Branch and graduate of the Kings Point Class of 2006



William Pennella, Executive Vice President at Crowley Maritime Corporation



Jean-Paul Rodrigue, Ph.D., Professor, Department of Global Studies and Geography, Hofstra University



Sharon van Wyk, Ph.D., Chair, U.S. Merchant Marine Academy Board of Advisors, President and COO of The Princeton Review and Tutor.com

