



CALIFORNIA COMMUNITY COLLEGES  
CHANCELLOR'S OFFICE

State of California

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June 20, 2014

Dr. Barbara Beno  
The Accrediting Commission for Community and Junior Colleges  
Western Association of Schools and Colleges  
10 Commercial Boulevard, Suite 204  
Novato, CA 94949

Dear Dr. Beno:

The events of the past three weeks related to our continued work with City College of San Francisco (CCSF) have me guardedly optimistic, but somewhat uncertain as to the path forward for the college.

I applaud your work with the US Department of Education (USDOE) in developing a revised policy which would create the new "Restoration Status" and provide CCSF more time should it successfully access that opportunity. However, as you know, at the same time the Accrediting Commission for Community and Junior Colleges (ACCJC) Hearing Panel, although supporting the original action of ACCJC, did remand the decision back to the Commission and direct that it must consider the progress made up to the time the Appeals Committee completed testimony.

CCSF now appears to have two opportunities for more time to complete its work that are somewhat in conflict – reconsideration by the Commission as directed by the Hearing Panel, and the proposed Restoration Status process. On the one hand, if the ACCJC finds, after consideration of the work done by the college through mid-May of this year, CCSF is allowed a "good cause" extension to complete its work, then the college may not need to avail itself of the Restoration Status process, and in fact, may not be eligible for the new Restoration Status. On the other hand, if the ACCJC finds in January that the college does not warrant Restoration Status, the policy provides for immediate termination and the only remaining option for CCSF will be Federal Court, a result I believe none of us involved in this issue wants.

On Tuesday of next week you have agreed to meet with Special Trustee Bob Agrella, Chancellor Art Tyler, and my representative, Deputy Chancellor Erik Skinner. At that meeting I encourage you to take advantage of the lifeline provided the Commission by the Hearing Panel, and to provide clarity and certainty on a pathway forward for CCSF. ACCJC should send a team to fairly review the work of the college over the past year. Your team will see that there is no way this college should be closed. Yes, there is work remaining, but the Commission can find good cause to move CCSF to Probation and allow the college an additional twenty-four months leading up to another comprehensive visit.

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The team in place at CCSF is making forward progress daily and will ensure that the college fully meets all standards and eligibility requirements within the next year or two. Additionally, I will be working closely with Mayor Lee and the political and civic leaders of the community to address the repopulation and reinstatement of the CCSF Board of Trustees. After all this work, none of us wants to turn the college back over to a dysfunctional governing body, and I can assure you we will not.

The tremendously positive changes that have occurred at CCSF thus far are due in large part to oversight and accountability brought by the ACCJC. The renewal of the college should be an ACCJC success story. However, unless we find a way to move the college from its current status, which includes the constant threat of closure, all the work by the Commission will have been for nothing. In fact, as you have seen in recent weeks with the increasing involvement of the California Legislature, expressions of concern by California community college CEOs, and a soon-to-be-released Legislative Audit that will be extremely critical of ACCJC, there is limited time for the Commission to claim a victory and preserve its role as the regional accreditor for California community colleges. Simply put, the Commission is in trouble, and we need to work together to find a solution. Now is the time for everyone involved in this situation to acknowledge the good work that has been done and ensure a clear pathway forward to reaffirmation of accreditation for CCSF.

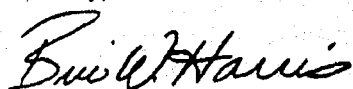
My request is quite clear:

- Send a team to review the college in response to the Hearing Panel direction;
- As a result of that review I am confident that the Commission will find good cause to provide the college an additional 24 months to complete its work;
- Monitor the college's progress in coming months;
- Conduct another comprehensive review in the fall of 2016;
- Communicate the success of regional accreditation in saving an extremely troubled college.

Barbara, the future of CCSF and regional accreditation is at stake. The Hearing Panel has provided the necessary vehicle for the Commission to acknowledge the work of the college and to validate the positive impact of regional accreditation. Now is the time to put this behind us and restore educational opportunity for the San Francisco region.

Thank you for your continued work and please call me directly before the meeting on Tuesday if you have any additional concerns, thoughts, or suggestions.

Sincerely,



Brice W. Harris



**ACCREDITING  
COMMISSION  
for COMMUNITY and  
JUNIOR COLLEGES**

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of Schools and Colleges*

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July 16, 2014

Dr. Brice W. Harris, Chancellor  
California Community Colleges  
Chancellor's Office  
1102 Q Street, Suite 4554  
Sacramento, CA 95811-6539

Dear Dr. Harris:

I am writing this letter to express strong concerns regarding communications from your office that appear to politicize the imminent decisions of the Accrediting Commission for Community and Junior Colleges (ACCJC) regarding the accreditation of the City College of San Francisco (CCSF). The communications can be read as predicting, if not threatening, possible political retaliation against ACCJC if we do not rescind our 2013 decision to terminate accreditation of CCSF. We request that you disavow any intent to support such efforts to influence the ACCJC decision, which would be fundamentally at odds with the integrity of the accreditation process and would do long-term damage to California community colleges.

As you know, based on ACCJC's commitment to protecting students at CCSF (and potentially other colleges), we have developed and adopted the Restoration Policy, a policy to permit a college subject to a termination order to restore its accreditation within a two-year period. The policy is a nationally innovative and unprecedented approach aimed at striking the right balance between avoiding disruption to students and holding schools with serious problems accountable to a robust review process for reestablishing their compliance with accreditation standards. The proposed policy and its application to CCSF have been reviewed and approved by the U.S. Department of Education and applauded by national legislative leaders representing California, including Representatives Pelosi and Miller. The leaders of many institutions that are members of ACCJC also have written to support the new policy. As applied to CCSF, the restoration status policy would provide a clear path forward, particularly if your June 20, 2014, letter is accurate in representing the positive changes that have been made by CCSF.

At the same time that ACCJC was developing this policy, an appellate panel hearing CCSF's appeal of the termination order rejected each of CCSF's substantive and procedural challenges to the decision ACCJC made in June 2013, and affirmed the correctness of that decision to terminate accreditation. At the same time, in response to the strong arguments made by CCSF representatives that under its present leadership the college had

recently completed "95%" of the tasks it has identified to comply with accreditation standards, the panel remanded the matter to ACCJC and directed that an examination of whether CCSF had achieved compliance by May 21, 2014, the date that the appellate hearing was completed. In making its decision, the panel explicitly noted that ACCJC retained the sole discretion to determine the process and scope of the remand review. ACCJC will implement the appellate remand in good faith and decide whether CCSF had achieved compliance as of May 21, 2014, and if it had, what steps to take next.

On the heels of these two developments, in a June 24, 2014, meeting at my office including CCSF representatives, State Vice Chancellor Erik Skinner expressed your office's opposition to the restoration status option for CCSF and recommended that ACCJC use the appellate remand to rescind the 2013 termination order and place CCSF on a weaker sanction than "show cause." Your June 20, 2014 letter to me made the same recommendation, indeed it recommended the college be placed on "probation."

You and your staff, of course, are free to express your views to the ACCJC and to others. What we strongly object to are statements predicting, or perhaps even condoning, negative political consequences for ACCJC if it does not make the decision you are recommending. Specifically, Mr. Skinner, at the June 24 meeting, promised that you would provide statements in support of the accreditation process and how it is helping the CCSF turn around, to California legislators and to community college leaders in the State – but only if ACCJC reverses its 2013 termination decision, rather than using the restoration status process for CCSF to come into compliance. Mr. Skinner also referred to your continuing discussions with political leaders concerning ACCJC, suggesting that these discussions could "pivot back to a more constructive tone" if ACCJC rescinded the termination order.

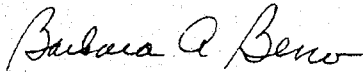
Our concern about the tenor of messages from your office was further heightened by a June 26, 2014 San Francisco Chronicle article concerning a fundamentally flawed audit of ACCJC. The article quoted Paul Feist, cited as your spokesperson, saying that California community colleges "should have a single accreditor, but that should be a commission that enjoys the confidence and support of its member institutions," implying that is not the case with ACCJC. This statement was made despite the auditors' own survey of ACCJC members that showed an 85% approval rating (of those California public colleges surveyed) of ACCJC's accreditation work by our membership. In addition, your June 20 letter ominously referred to "a limited time for the Commission [ACCJC] to claim a victory and preserve its role as the regional accreditor for California community colleges." Your letter added, "Simply put, the Commission is in trouble, and we need to work together to find a solution."

It could be that these statements are simply ill conceived. However, if these statements are meant to threaten that political support for ACCJC is conditioned upon a rescission of the termination decision made in 2013, or to suggest that ACCJC needs to make that rescission based on a political assessment of its support within the state, they are fundamentally inconsistent with the core values and purposes of accreditation as an educational, peer-centered, and fact-based process for upholding standards and protecting students and taxpayers.

Brice, knowing your reputation for professional acumen and integrity, it is difficult for me to believe that you would direct or lend your support to an effort to politicize accreditation and undermine ACCJC if it did not do exactly what your office wanted. I would like to take your June 20 letter not as a threat, but as an expression of your conviction that ACCJC needs to do what you are suggesting based on your concerns regarding its political survival. At the same time, as a former Commissioner and as a state leader, you know from experience and must understand that ACCJC will make a decision on the review required by remand, like all accreditation decisions – on the merits, consistent with the terms of the appellate remand. If that decision does not result in a rescission of the June 2013 termination order, and if the college then chooses to pursue the administrative remedy of restoration status, the ACCJC's decisions will again be based on the merits of the case. That is ACCJC's responsibility, pure and simple.

I too hope we can put this issue behind us and work together to strengthen California's community colleges. As they recover from years of recession, there is great opportunity to focus them anew on educational quality and student success. There are very fine institutions in the California Community Colleges, and others that are improving. As State Chancellor, your leadership and support for the role accreditation plays in supporting and stimulating quality in the public colleges will be critical for the continuing success of the entire system as we move forward.

Sincerely,



Barbara A. Berio, Ph.D.  
President

Enclosure:  
June 20, 2014 letter from Dr. Harris to Dr. Beno

*BAB/cms*

