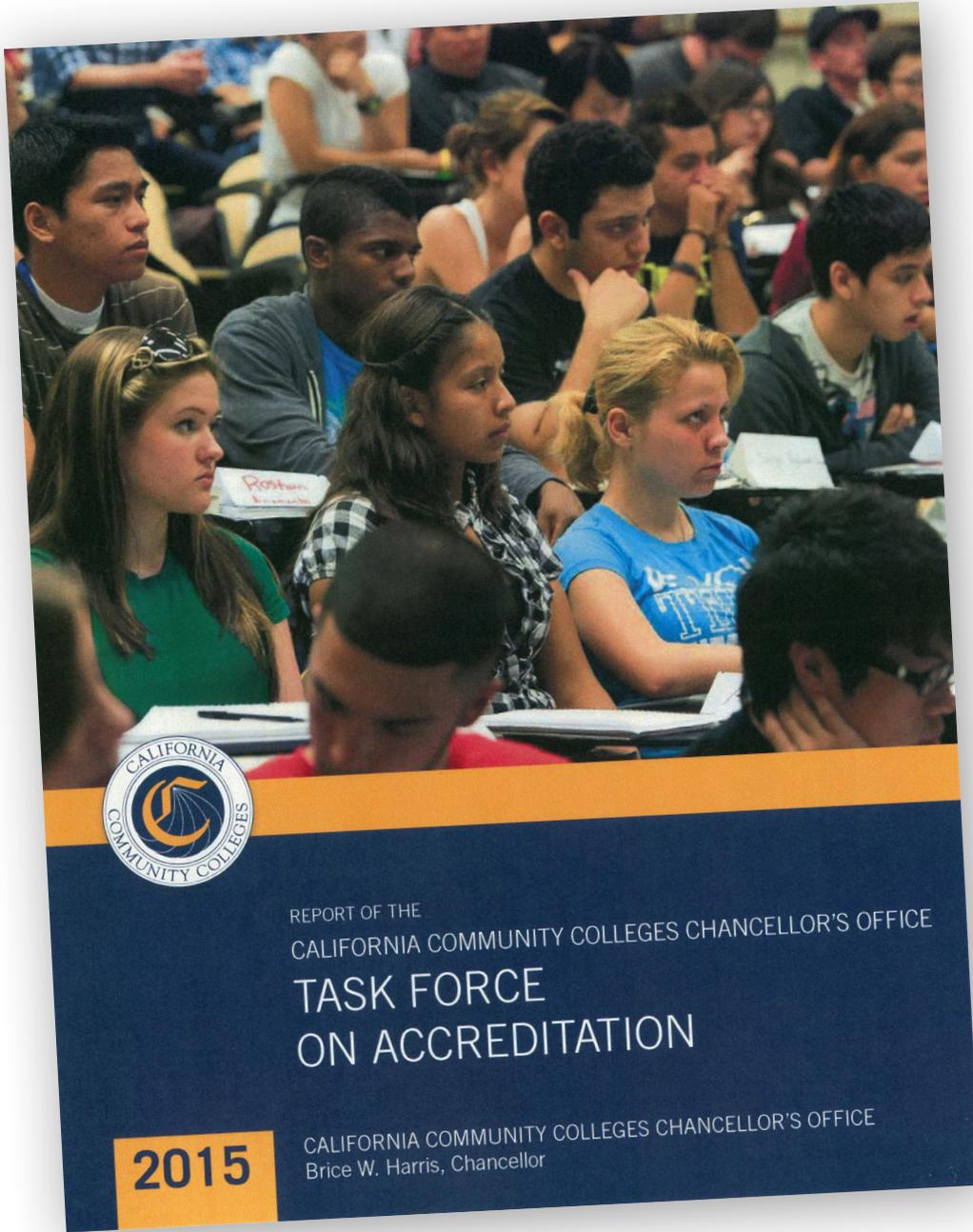




Community College Council of the California Federation of Teachers
American Federation of Teachers, AFL-CIO

Perspective

SPECIAL ISSUE ON ACCREDITATION



CCSF faculty vote for a strike fund

Attempting to negotiate from within the mire left behind by ACCJC's reckless sanctions, City College of San Francisco faculty ups the stakes.

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CFT lawsuit against ACCJC clears hurdle

Dismissing the latest ACCJC delaying tactic, Superior Court Judge Curtis Karnow, who ruled against ACCJC earlier this year, says CFT's more comprehensive suit can move forward.

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Whither Compton College?

The southern California community college was discredited more than ten years ago. Where are they now?

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Chancellor's Task Force calls for new accreditor

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President's Column

Joshua Pechthalt

New community college accreditor needed now

The following op-ed appeared in the **Sacramento Bee** on September 21, the day that the state Community College Board of Governors (BOG) met in Sacramento. Among topics discussed by the BOG was the Chancellor's Accreditation Task Force, the subject of this guest column by CFT president Joshua Pechthalt.

State Community College Chancellor Brice Harris has released his long-awaited Accreditation Task Force report, and the news is not good for the Accrediting Commission for Community and Junior Colleges (ACCJC). The blue ribbon Task Force, comprising faculty, administrators, college presidents, elected officials and other expert stakeholders, starkly exposes ACCJC's problems, and recommends replacing it with another accreditor.

This is a welcome turn of events. The bad news is that it may not happen overnight.

Two years ago, the CFT, representing a majority of California's community college faculty, filed a complaint with the US Department of Education regarding ACCJC's failure to comply with multiple accreditor standards. The department, agreeing, issued a letter detailing the ACCJC's lack of compliance with fifteen standards. This opened the floodgates:

- The San Francisco City Attorney won a court decision that the agency broke four laws in its effort to shutter City College of San Francisco. The college remains open.
- California's Joint Legislative Audit Committee criticized ACCJC for its CCSF decision, absurd levels of secrecy, disproportionate rate of sanctions compared to other accreditors, and inconsistent treatment of colleges.
- The Community College Board of Governors removed regulatory language that had given ACCJC sole authority over accreditation of California's community colleges.
- Assemblymember Phil Ting (D-SF) authored AB 1397 to make ACCJC more transparent and accountable. Receiving strong bipartisan support, Mr. Ting agreed to place it on hold until next year to give the state chancellor

a chance to move his Task Force's recommendations forward.

The Task Force, finding the "California Community College system and its member institutions have lost confidence in the ACCJC," concluded the colleges need to transition to another accreditor.

Sea change

This represents a sea change in perceptions of the agency; the CFT's critique, isolated—even ridiculed—two years ago, has become mainstream opinion.

The faculty union's lonely position back then was partly due to the arcane nature of accreditation itself. Necessary for students to earn transferable credits and financial aid, accreditation is a complex process. It needs to be careful and reliable to provide assurance to students and taxpayers that a college offers a quality educational experience.

But in the hands of ACCJC, accreditation became needlessly bureaucratic, time-consuming, expensive, secretive, and focused on things far removed from the classroom. It also became extraordinarily punitive, involving harsh sanctions leading to high levels of faculty anxiety, endless paperwork, student fears of disaccreditation, and consequent enrollment losses.

As students left sanctioned colleges, often to attend more

In the hands of ACCJC, accreditation became needlessly bureaucratic, time-consuming, expensive, secretive, and focused on things far removed from the classroom. It also became extraordinarily punitive, involving harsh sanctions leading to high levels of faculty anxiety, endless paperwork, student fears of disaccreditation, and consequent enrollment losses.

expensive private schools, many endured, as with the Corinthian disaster, terrible educational and financial outcomes.

Fear factor

Another reason the paradigm shift took so long was fear of ACCJC's sanctioning powers and reputation for vindictiveness, which kept many college leaders silent. State Senator Jim Nielsen provided a glimpse of what they were up against with ACCJC president Barbara Beno when he told colleagues, "I have never dealt with a more arrogant, condescending, and dismissive individual."

Change, finally, is coming. However, the path to another accreditor faces obstacles. The Chancellor suggests the

transition could take ten years. This timeline flies in the face of his report, which notes, "Further delay in resolving the issues with the accreditor will have adverse effects on our colleges, on our students, and on California's economy and future..."

Take time, not ten years

Important considerations lie ahead, such as which accreditor makes sense. A new accreditor needs to agree to take on California's 113 colleges, and the US Department of Education needs to recognize the expansion of scope for the new accreditor. These steps will take time, but not ten years. The problem is clear. It needs to be dealt with before more damage is done. ☐

MARK YOUR CALENDAR

January 22, 2016 Community College Council, Manhattan Beach Marriott

January 23 CFT Committees, Manhattan Beach Marriott

February 9-10 CFT Leadership Conference: Politics and Policy, Sacramento Convention Center

March 11-13 CFT Convention, Hyatt Regency, San Francisco

Perspective

The California Federation of Teachers is an affiliate of the American Federation of Teachers, AFL-CIO.

The CFT represents over 120,000 educational employees working at every level of education in California. The CFT is committed to raising the standards of the profession and to securing the conditions essential to provide the best service to California's students.

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Faculty establish strike fund

Accreditation crisis impacts CCSF negotiations

In an early September referendum, City College of San Francisco faculty took an unprecedented step. By a 93% margin, with high participation, educators voted to raise their dues to establish a Strike Hardship Fund, and a committee to administer it.

The faculty union, AFT Local 2121, bargains with the district in one of the nation's most pro-union cities. But educators feel they're getting the runaround from administrators across the bargaining table. The vote reflects their anger and frustration.

Six weeks after the balloting, the union filed an unfair labor practice charge against the district, alleging it has failed to provide information necessary for meaningful negotiations.

In 2013, facing the threat to the college's accreditation by the ACCJC, the union agreed to a salary reduction to 2007-8 levels. It now wants the pay restored, along with a frozen step from 2009-2010. The union has further proposed a 16% salary increase over three years.

The district has only agreed to the restoration of the 2007-8 schedule (a 3.7% increase) and 1.1% for full-time instructors, with nothing for part-timers beyond the 1% state cost of living increase. In the second and third years, all faculty would simply get the state COLA increase, with a promise of another increase if it's tied to "productivity improvements" (the ratio of faculty to class size). Meanwhile, the district announced a plan to reduce the number of scheduled classes by 5% in each of the coming three semesters—totaling 15%.

Hiding money

The union says the district has the money. "They've been hiding money by not spending it, and then dumping it into reserves," explains Tim Killikelly, Local 2121 president. "Last year they didn't spend \$5.5 million on salaries

for people they budgeted for but never hired. If they'd spent that money on salary increases, we'd be making at least 6% more. Knowing how much money is actually available is crucial to negotiations, and that's what the district won't tell us in a clear, transparent way."

In Fall 2013, when the district claimed a funding crisis, it imposed a 5% pay cut for all faculty, saving \$4.5 million. At the end of the year a \$14 million surplus was transferred to reserves and other accounts.

Appearing as a defense witness last year in "The People vs. ACCJC," Commission Chair Steve Kinsella claimed the district was on the brink of bankruptcy because of "excessive spending on faculty salaries" and too little money in reserve.

CCSF's present budget for salaries, however, is in line with the statewide average of 84%. Faculty campaigned hard and successfully for Propositions A and 30, which gave the district tens of millions of dollars. In addition, state funding, which makes up three-quarters of the district budget, was preserved in a special bill passed by the legislature.

State funding is predicated on enrollment, which has declined at CCSF by 37% over five years. "Community college enrollment is counter-cyclical to the economy," Killikelly says, "so as we recover from the recession people work more and go to school less for several reasons. But our enrollment dropped much more than other districts, as students were driven away by the ACCJC threats to our accreditation." State legislators, acknowledging this, passed SB 860, which provides additional funding that runs out year after next.



Community supporters join faculty in an informational picket outside the City College of San Francisco Chinatown Center while negotiations go nowhere inside.

Sore point

While money is a big issue in negotiations, it's not the only one. Another sore point is the district's proposal to change the evaluation procedure. The district wants peer evaluation teams to include a dean and department chair, and to give them the ability to consider outside disciplinary issues as well as the normal academic ones.

"In this, as well as on the economic issues, the heavy hand of the ACCJC is showing up at the table," Killikelly charges. "It's as though the district is trying to show the commission they're getting us under control."

Alisa Messer, who was local president during the height of the fight over accreditation, agrees. "The crisis caused by the ACCJC did permanent damage to the college," she says. "They shrank the college, which has made a huge impact. Nevertheless, the faculty is in a better position to fight today. The landscape is completely different. San Francisco clearly supports the college and our faculty, and we're seeing that now we're in negotiations."

High instability

To mobilize that support, the union worked with the California Faculty Association chapter at San Francisco State University, and SEIU Local 1021, faculty union at the San Francisco Art Institute to mount a hearing before the Workers Rights Board, a panel of community leaders assembled by Jobs with Justice. All three unions are in difficult negotiations situations,

in part due to San Francisco's extreme housing costs.

According to Messer, "We all face a high level of instability. Simply remaining in San Francisco is a crisis problem, since the city has the highest level of economic inequality in the country."

Testifying at the hearing,

heroes. Think about the teachers," he told the board.

The elected Board of Trustees was sidelined when the state community college chancellor imposed a trustee on CCSF to head off ACCJC's denial of accreditation. Guy Lease is a retired administrator from Lake Tahoe. In addition to receiving

"In [the evaluation procedures] as well as on the economic issues, the heavy hand of the ACCJC is showing up at the table. It's as though the district is trying to show the commission they're getting us under control."

math instructor Mousa Rebouh described the cost of that instability. "This summer I was supposed to teach a statistics class at City College," she explained. "The week before classes started, I got an email saying, Sorry, your class got cut. Good luck this summer. That was my main income plan for the summer. This fall, I didn't get my regular load, and I have no idea what I'm going to be teaching this spring. I cannot plan ahead. My daughter used to attend gymnastics. She looked forward to it the entire week. Now I can't pay for it anymore and I had to take her out of it. She doesn't understand why."

The union has begun informational picketing at board meetings. At the first one, at the Chinatown campus, student leader Thomas Lee said he wants to see instructors get a fair agreement. "The teachers are the

a pension, he gets paid \$216,000 per year from CCSF.

While the Board of Trustees has regained some of its former authority, Lease can rescind or veto board financial decisions. He doesn't give up control until next June. Then, that fall, the ACCJC still has to rule on the district's "restoration" status, a decision due by January 2017.

Negotiations, therefore, are taking place in a highly-charged political atmosphere. "We are going to escalate our activity," Killikelly warned. "We hope this leads the district to resolve the issues on the table, and to tell us what money is really available. The other possibility, however, is that it will keep going down the road it's been on. That could mean a job action at some point in the future." **CCJ**



AFT 2121 president Tim Killikelly says that "Our enrollment dropped much more than other districts, as students were driven away by the ACCJC threats to our accreditation."

Rogue ACCJC handed serious setback

Chancellor's task force calls for new accreditor to oversee community colleges

On August 28, 2015 the California Community College Chancellor's office released its Task Force Report on accreditation and the practices of the Accrediting Commission for Community Junior Colleges (ACCJC). The task force comprehensively reviewed the way the Commission does business; crafted ideal attributes for an accreditor, measured the ACCJC against them and found the agency severely wanting; and capped its report with a recommendation that California find a new accreditor.

The report, compiled by a panel of California community college experts, including

college presidents, administrators, elected trustees, the state chancellor's office, and faculty,



Sharon Vogel of FACCC speaks as Alan D'Souza, a CCSF librarian, awaits his turn during public comment on the Task Force Report at the Board of Governors meeting.

found that:

- The ACCJC's level of sanctions imposed on colleges was "inordinately high" compared with other regional accreditors
- The "California Community College system and its member institutions have lost confidence in the ACCJC"
- The colleges and the system need to transition to another accreditor.

CFT president Joshua Pechthalt, who has been an outspoken critic of the ACCJC, observed, "This report sharply underscores that accreditation is too important to be left in the hands of ACCJC." CFT was represented on the Task Force by Joanne Waddell, faculty union president at the Los Angeles Community College District, and a CFT vice president. It also included Pamela Walker, Chancellor's office; Ventura trustee Stephen Blum; Stan Carrizosa, College of the Sequoias president; Rich Hansen, Secretary of FACCC; Cindy Miles, Chancellor of Grossmont-Cuyamaca; David

Morse, statewide Academic Senate president; Meridith Randall, Shasta College VP of Instruction; Mary Kay Rudolph, Assistant Superintendent, Santa Rosa JC; and Ron Travenick, Ohlone College VP of Student Services.

The Report noted that multiple efforts over the past decade to persuade the ACCJC to adopt reasonable changes to its harsh, compliance-based practices, and to move toward a more effective and collegial approach, have "yielded very little in the way of progress."

Yet despite the many calls for reform from the community college system as a whole and from individual constituent groups, the ACCJC has shown little evidence of its willingness or ability to address and resolve concerns that have been raised. In spite of the many overtures on the part of the member colleges and their representatives to work with the accrediting commission in resolving issues and improving processes, the ACCJC has made no significant effort to

engage in meaningful or lasting reform. As a result, the concerns raised in the 2010 Task Force Report persist, the accrediting process for California community colleges has lost credibility with the system, and calls for change have intensified.

Background

None of this was anticipated just a couple years ago. The accrediting commission, led by ideologues pushing "reform" of the colleges they oversaw, had seeming free rein in forcing the state's 113 colleges to engage in mind-numbingly bureaucratic and expensive exercises in compliance. These were popular neither with faculty nor administrators, but few voiced concerns out loud for fear their colleges would suffer retaliatory sanctions, with corresponding bad publicity and

Continued on next page



Interview with Task Force member Joanne Waddell

Joanne Waddell is president of the Los Angeles Community College Faculty Guild, AFT Local 1521, and a CFT vice-president. She also serves as vice president of CFT's Community College Council.

Perspective: How did you come to be selected for the task force?

Waddell: [CCC president] Jim Mahler called and asked if I could do this. There were three faculty on the task force, representing the statewide Academic Senate, FACCC, and CFT.

Perspective: How many times did you meet?

Waddell: Face to face, four times; by phone, twice. The task force did its work over six months.

Perspective: At what point did it become clear to you that CFT's perspective on the ACCJC, which had been an outlier, was now viewed as common sense by all these different stakeholders?

Waddell: At the very first meeting! I was startled. I think what had happened was that the forces that had been working on this, the legislative, judicial, City College of San Francisco, had accumulated; the

wave had crashed, and it was time.

What was startling to me was how broadly there was agreement on what needed to happen. I expected the faculty to be on board with this. I didn't expect the chancellor, the trustee, the CEO. Even people who hadn't directly experienced the wrath of the ACCJC were clear that it had to go. The people on this task force all really believe in accreditation. But from the north to the south, coast to the interior, at all levels of the system, the feelings were deeply shared.

Perspective: Why did the task force focus on laying out the attributes of the ideal accreditation system?

Waddell: Because we reviewed a dozen reports that had been written over the past decade in response to ACCJC's actions, and they all said the same thing. We saw that all these groups, these reports, tried to get ACCJC to see the light and change. This task force saw that the ACCJC is

not willing or able to be changed. So we decided not to direct our comments to ACCJC. They clearly don't listen. Rather than do that again, we wanted to explain what we do want in an accreditor.

That's where the idea of the attributes came from. We wanted to be positive, and recommend to the Chancellor a different pathway, not one where ACCJC is asked to repair itself, but one that paves a better pathway for accreditation and community colleges. There was a genuine feeling that our students deserve better, that the ACCJC steals from students, steals their resources, through the enormous amounts of time and money spent on accreditation. Accreditation could be a powerful positive tool to serve our students better. But that's not what it is now.

Perspective: What did you view as the key insight of the Task Force?

Waddell: That ACCJC is no longer credible, and no longer serves the needs of

the California community college system.

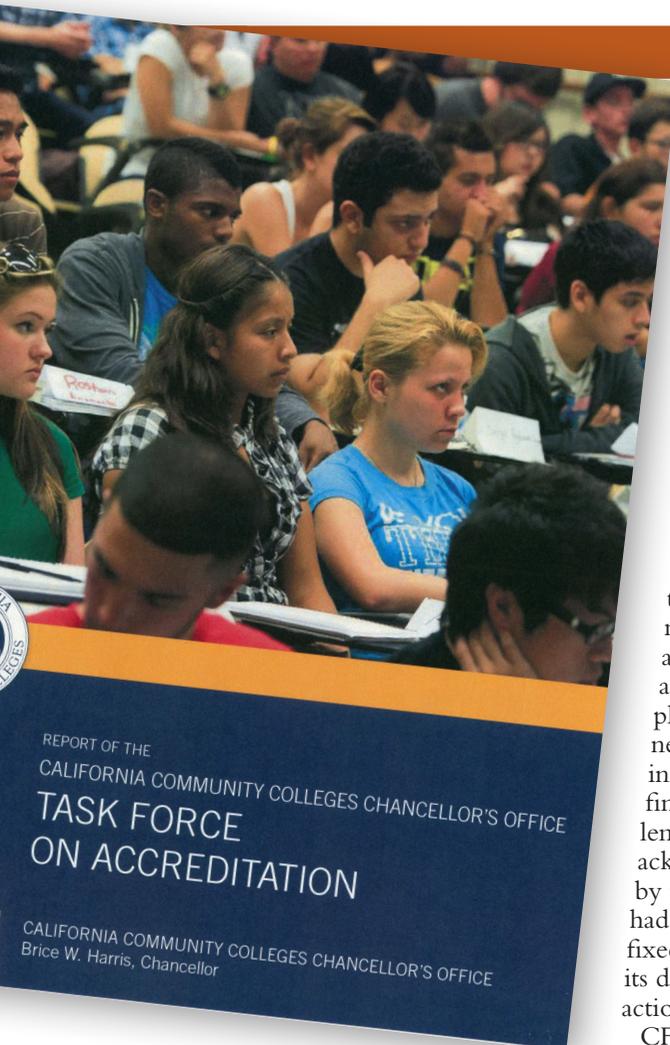
Perspective: The summary recommendation is for California to seek a new accreditor. Why did the Task force choose this, instead of asking commissioners to resign, or reforming the existing commission?

Waddell: Because we believe that the culture of ACCJC would persist. The individuals might come and go, but the culture of ACCJC is toxic.

Perspective: What is the path ahead?

Waddell: The task force presented its recommendations to the Board of Governors as an informational item in September, and they will be accepted in November. In the report we asked that there be a plan by spring 2016. I have every reason to believe that the BOG will adhere to that. ☐

TASK FORCE



of the ACCJC, and other local news media similarly challenged in the area of investigative journalism expertise. In the crisis atmosphere generated by this relentlessly negative coverage, enrollment at the college plummeted, newly exacerbating the college's financial problems that, without acknowledgement by the ACCJC, had largely been fixed by the time of its disaccreditation action.

CFT and AFT 2121 also created a speakers' bureau of City College

of San Francisco faculty, students and trustees. Teams traveled to community colleges across the state to acquaint peers with the actual state of affairs, since the ACCJC had done its best to convince other college leaders and faculty that City College deserved to die.

These presentations produced a lot of light bulbs above the audiences' heads. Faculty and administrators learned about what had occurred in San Francisco: conflicts of interest, failure to place sufficient numbers of faculty on site visit teams, confusing and misleading communications from ACCJC to the college, and ACCJC overturning its own team's recommendation in order to apply a harsher sanction. They also discovered that their own expensive and time-consuming "compliance" activities—compounded by ACCJC bullying—were but points on a stubbornly wrong-headed accreditation continuum.

Beginning to add up

As these efforts by the union to break through indifference and misunderstanding were proceeding, legislative, legal, and administrative investigations and actions began to add up. The City Attorney's suit ended with a ruling that the ACCJC had broken four laws. The San Francisco Board of Supervisors passed resolutions of support for CCSF and condemnation of ACCJC. Hearings were held by sympathetic congresswomen like Jackie Speier. A Joint Legislative Audit Report found a great lack of transparency in

the agency's decisionmaking, and enormous inconsistencies in its treatment of colleges. Legislative remedies, which had faced hard sledding in 2014, got traction in 2015.

Thus by the time the Task Force convened, the landscape had shifted significantly. This explains why the Task Force focused not on rehashing the now-familiar critique ad infinitum, but instead, looking down the road, on articulating ideal attributes for an accreditor to possess. Among these:

- The accreditor emphasizes improvement rather than compliance.
- The accreditor demonstrates collegiality and consistency in

all of its actions with member institutions and constituent groups.

- Accreditation reports that indicate deficiencies include clear expectations for correction and allow reasonable opportunities for improvement.
 - The accrediting process and accreditor actions and decisions are transparent.
 - The accreditor is responsive to and collaborates with CCC constituent groups.
 - Member institutions have a formal process for periodic evaluation of the accreditor.
- Task Force member Joanne Waddell noted, "The members of the task force recognize

that the ACCJC has ignored or dismissed similar reports in the past, and expect a similar reaction this time. The difference now is that more people are aware of the problematic nature of the agency, and the specific recommendation that the agency be replaced as accreditor in California underlines the urgency of the matter. We hope this report helps legislators and policymakers to take appropriate steps." **CC**

By Fred Glass

Find the Task Force Report at <http://californiacommunitycolleges.cccco.edu/ChancellorsOffice/ReportsandResources.aspx>

More at www.cft.org

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enrollment losses.

In Spring 2013, the CFT and AFT 2121, the City College of San Francisco faculty union, filed an exhaustive complaint, or third party comment, with the US Department of Education, in preparation for what union leaders suspected was coming: the decision of the ACCJC to disaccredit City College of San Francisco, which occurred at the end of June. A premier community college, with high transfer rates to CSU and UC, and great metrics validated by measures like the state Chancellor's Report Card, the enormous importance of CCSF educational opportunities to working class and low income students of color in the surrounding communities was ignored by a commission hell-bent on shuttering the college.

Following the third party comment filing, CFT and AFT 2121 worked hard to communicate about the underlying issues with news media, the San Francisco City Attorney, local, state and national elected officials, and the general public. It was an uphill battle at first, since the obscure topic of "community college accreditation" did not lend itself to quick explanation, or to breaking through the natural response of many reasonable people that a supposedly neutral agency couldn't be acting in an unfair and illegal manner.

Among the credulous

Among the credulous were the daily newspaper in San Francisco, which printed story after story from the perspective



FRED GLASS PHOTO

A few of the CFT activists and supporters who came from across the state to the Board of Governors meeting on September 21. Their smiles reflect the BOG vote that had just taken place directing the Chancellor to send his Task Force report to NACIQI. From left: Dean Murakami, Chris Hanson, Anita Grier, Rodger Scott, Alvin Ja, Tim Killikelly, Joanne Waddell, Alan D'Souza, Lynnette Nyaggah, Marty Hittelman, Ken Burt, Scot Budnick, Rich Hansen, Kim Lee.

BOG directs Chancellor to tell Department of Ed: No more ACCJC

On September 21 in Sacramento, the California Community College Board of Governors (BOG) directed State Community Chancellor Brice Harris to send his Accreditation Task Force's Report, issued three weeks prior, to the United States Department of Education (DOE). The Report, citing a multitude of failures by the current California community college accreditor, the Accrediting Commission for Community and Junior Colleges, recommends that California replace the ACCJC with a new agency.

The members of the Board of Governors listened closely as Task Force participants, led by Pamela Walker, vice-chancellor for Academic Affairs, summarized the findings. They were clearly impressed by the unanimity and forceful nature of the Task Force's recommendations. The Report's findings were amplified by a dozen faculty representatives from around the state who spoke during public comments.

"This is terrific news for California's two million community college students," said CFT Secretary Treasurer Jeff Freitas, delivering remarks to the Board. "It is past time this lawbreaking agency was shown the door."

The ACCJC is currently under review by the higher education body within the DOE in charge of authorizing accreditors, the National Advisory Committee on Institutional Quality and Integrity (NACIQI).

Several of the speakers urged the BOG to submit the Task Force Report to NACIQI by Friday, September 25, the deadline for NACIQI to receive comments on the ACCJC's fitness to continue as community college accreditor. The board resolution, which passed unanimously, instructed Chancellor Harris to do that.

After the Board vote, the room erupted in applause. Several faculty members from San Francisco, who had spent enormous amounts of volunteer time the last few years mobilizing and organizing to save their college, were visibly moved at this tangible result of their hard work. **CC**



Legislative Update

Ron Rapp, CFT Legislative Committee Chair

CFT's accreditation bills gain traction

The leaders, members and allies of the California Federation of Teachers made legislative progress during the first year of a two-year legislative session to advance three bills that, if enacted, will significantly impact both the transparency and accountability of the California Community College accreditation process. Two CFT-sponsored accreditation bills, AB 1397 (Ting) and AB 1385 (Ting), moved through the Assembly and on to the Senate with significant bipartisan support. Assembly Bill 404 (Chiu), a CFT-supported piece of legislation, also garnered tremendous bipartisan support as it moved through the legislature and onto the governor's desk.

AB 1397

AB 1397 (Ting), the California Community Colleges Fair Accreditation Act of 2015, would require that an

appropriate percentage of each visiting team be comprised of academics. It would prohibit persons with conflicts-of-interest from serving on a visiting team. It would also require the

accrediting agency to conduct meetings of its decision-making body so that members of the public could attend, and require the agency to post its agenda on its website and mail the agenda to officers of affected institutions no less than 30 days before the public meeting.

It would require the accrediting agency to preserve all documents generated during an accreditation-related review. Finally, the bill would authorize an institution to submit an appeal of a decision of the accrediting agency to subject that institution to a sanction

of probation or a more serious sanction.

The bill is currently being held in the Senate and will be carried over into year two of the legislative session. Carrying the bill over will allow the CFT to continue to work to ensure the Governor's signature and also help hold the Chancellor's office accountable to effectively implement recommendations from the Chancellor's Task Force.

AB 1385

The second CFT-sponsored piece of legislation, Assembly

Bill 1385, had similar bipartisan support as it moved through the Assembly and on to the Senate. The bill would prohibit the accrediting agency from imposing a special assessment on community colleges to pay for the accrediting agency's mounting legal fees without an affirmative vote by the majority of the chief executive officers of all of the community colleges.

Assembly Bill 1385 passed the Assembly on a 61-18-1 vote on June 4, 2015 and, at the request of the author, was held over to the second year of the biennial

Continued on next page

Top Ten Reasons to Get Rid of the ACCJC

Excerpted from a longer article available on SaveCCSF.org

In December 2015, the US Department of Education's National Advisory Committee on Institutional Quality and Integrity (NACIQI) will consider the re-authorization of the ACCJC to serve as an accreditor. Here are ten reasons the ACCJC should not be re-authorized, and California should find a new accreditor, as recommended by the Chancellor's Accreditation Task Force.

1. The recently released California Community College Chancellor's Task Force Report on Accreditation found that the "California Community College system and its member institutions have lost confidence in the ACCJC" and that the colleges and the system need to transition to another accreditor.

2. The ACCJC has a wildly disproportionate sanction rate. One of seven regional accreditation agencies, between 2003 and 2008, ACCJC issued 89% of all the sanctions in the U.S. From 2005-2015, the ACCJC sanctioned 67% of accreditation-seeking California community colleges, compared to 12% for other regions.

3. Its "standards" have arbitrary interpretations and double meanings. What the ACCJC called "suggestions for improvement" to City College of San Francisco (CCSF) in 2006, it re-narrated as "deficiencies" in 2012, to justify its harsh and abrupt sanction. Court testimony revealed that desired conclusions are telegraphed to commissioners by executive staff. In arguing that the College's accreditation should be revoked, ACCJC executive staff emphatically warned commissioners that CCSF's finances were "technically insolvent," when in fact the state of California had sent a routine apportionment payment to the College late, so that the snapshot being considered was highly misleading. ACCJC's executive staff has even overturned their own visiting team's recommendations, to impose the most severe sanctions possible.

4. The ACCJC routinely breaks regulations and laws, and flunked a state audit. In 2013, the staff of the USDOE declared the ACCJC out of compliance with 15 federal regulations, putting it on a one-year probationary period rather than the customary five-year reauthorization. In 2014, the California Bureau of State Audits issued a blistering report criticizing Commission inconsistencies and lack of transparency. In 2015, Superior Court Judge Curtis Karnow ruled that the ACCJC broke four state laws in attempting to disaccredit ACCJC.

5. The ACCJC is self-selecting and self-perpetuating. Commissioners are supposed to be peers chosen by the colleges, but are actually nominated by the Commission's small, powerful executive staff as a slate that must be voted up or down by college presidents, resulting in a commission congenial to commission president Barbara Beno and her staff.

6. Accreditation is intended to safeguard educational quality, but the ACCJC does not use accepted measures of educational quality in its decisions. In 2014, CCSF scored fourth in transfer rates among the large California community colleges, according to the Chancellor's Scorecard. An analysis showed that CCSF's outcomes outstripped those of every college affiliated with the commissioners themselves. The ACCJC is trying to close one of the best community colleges in the state.

7. The ACCJC is no longer a neutral evaluator, but calls itself a "key endorser" of controversial measures that aim to re-engineer the California community colleges away from a broad open access mission, toward transfer and a narrow workforce-prep areas of focus only, while destroying the open door vision of the Master Plan and local community control.

8. The ACCJC uses sanctions to punish institutions with which it disagrees politically, while commissioners' own colleges are rarely sanctioned. From 2003-2013, when the ACCJC sanctioned two-thirds of all colleges undergoing review, 20 California community colleges had a representative on the commission. Only one of those colleges was sanctioned.

9. The ACCJC accredited fraudulent for-profit colleges. The ACCJC accredited the for-profit Heald colleges until 2012—despite the disastrous record of false promises, fraudulent reporting, lawsuits and court settlements of Heald's corporate owner, Corinthian.

10. The ACCJC asserts the authority to overrule locally elected governance structures, even install new ones. The ACCJC maintains that it is a private 501(c)3 not subject to public input and transparency, although it holds life and death power over public institutions, and runs almost entirely on public funding. [ccs](http://www.ccsf.edu)

By Mickey Ellinger and the Research Committee to Save City College of SF

ACCJC fails again to block CFT lawsuit

Last June the State Court of Appeals turned down an effort by ACCJC to throw out the suit filed against it in September 2013 by the California Federation of Teachers and the CCSF faculty union, AFT Local 2121. The ACCJC tried to argue that the federation's action was a SLAPP suit, designed to restrict its "right of free speech."

The "speech" in question was the long campaign by the commission to withdraw accreditation from City College of San Francisco, and force it to close. The appeals court took a look at the bizarre claim and rejected it. Instead, it ruled that there was a reasonable likelihood the CFT suit would prevail, especially in light of the injunction issued by Judge Curtis Karnow, in a related suit by the San Francisco

City Attorney. That suit halted the closure effort, at least for a while.

Rejection of the ACCJC's claim put the CFT suit back into Judge Karnow's Superior Court. There the ACCJC argued that because the City's suit had prevailed in large part, the teachers' union suit was moot. In late September, Judge Karnow ruled against that move as well.

"This means we will now go

forward," said CFT attorney Bob Bezemek. "The next step is discovery. In addition, the judge has asked both sides to answer a series of questions, so we will now respond to them."

Big issues

Bezemek was not surprised that the commission lost this latest round. "Our issues are big ones, a lot more important than some of those raised in the city's suit," he explained. "The commission, for instance, has misvaluated districts on financing, leadership and governance, among other violations."

Key among the issues raised by CFT's suit and unaddressed by the City Attorney's suit were the agency's efforts to make colleges pre-pay Other Post Employment Benefits (OPEB) based on a 30-year formula; hold colleges accountable to leadership and governance practices that conflict with California law and public policy; and similarly, hold colleges to financial practices inconsistent with law.

In ruling on the city's suit, Judge Karnow found that the



FRED GLASS PHOTO

San Francisco Superior Court judge Curtis Karnow swatted away ACCJC's latest effort to get the CFT's suit dismissed.

commission had broken the law in four areas: the ACCJC didn't include enough academics on its evaluation teams, it didn't pay attention to possible conflicts of interests among its own members, it didn't provide CCSF with due process and failed to notify the college of the termination of its accreditation.

Commenting on the appeals court's rejection of the ACCJC's claims, CFT president Joshua

Pechthalt said, "Although the Commission's most destructive ruling occurred in San Francisco, its unfair, threatening, and expensive behavior is a problem throughout California's community college system. This ruling clears the way for further legal action that builds on the successful City Attorney's suit." ☐

By David Bacon

"Although the Commission's most destructive ruling occurred in San Francisco, its unfair, threatening, and expensive behavior is a problem throughout California's community college system. This ruling clears the way for further legal action that builds on the successful City Attorney's suit."

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legislative session so that further research can be conducted on compliance with federal law.

AB 404

Assembly Bill 404 (Chiu) made its way to the Governor's desk and awaits his signature. This bill would add to the duties of the Community College Board of Governors by requiring it to conduct a survey of the community colleges, including feedback from both faculty and classified personnel, to develop a report to be transmitted to the United States Department of Education (USDOE) and the National Advisory Committee on Institutional Quality and

Integrity (NACIQI). This survey would be used as a tool to conduct a system-wide review of the regional accrediting agency used to determine an accreditor's status. AB 404 would require the accrediting agency to report to the Board of Governors, as soon as practicable, after the NACIQI has notified the regional accrediting agency of the date by which the agency's application for continued recognition is due.

This bill, if signed by the Governor, will require greater accountability of the ACCJC, additional oversight by the Community College Board of Governors and increased

opportunity for faculty and classified input into the USDOE's review of the accreditor. The bill passed the legislature on September 4, 2015, unanimously.

The CFT continues to make the passage of legislation that greatly increases transparency and fairness in the Community College accreditation process a number one priority. AB 1397, AB 1385 and AB 404 are examples of CFT's continued fight to support our community college members, the institutions within which they work and the millions of students who rely on them to obtain a high-quality post-secondary education. ☐

The CFT sends its sorrow and solidarity to the faculty, students and staff of Umpqua Community College in Oregon, and to the families who lost their loved ones to a senseless massacre.

"Compton" continued from page 8

contract negotiations. Villalobos says administrators are suddenly much more interested in reaching agreement, because they've realized that the work of regaining accreditation has to be done primarily by faculty.

No raise since 2007

New urgency in bargaining could also help classified

employees, who haven't had a pay raise since 2007. "But we're not clear about what our role is, and how we can affect the process," McKenzie explains. "We sit on committees, but we don't really know how valued we are. We're the background people who do all the work, but when they talk about standards, they don't talk about us. We need a more open understanding

of the importance of classified workers."

At El Camino, "We knew it would take this long, but Compton should get its accreditation back now," Ken Key says. "But now our district president has said the process could take another 6-8 years," Smith adds. "No one understands why it should take this long. Things that needed to happen have

happened. Why another 6-8 years?"

Despite the frustration, however, new relationships have been forged between Compton and El Camino that didn't exist before. "It's been good to be part of El Camino, and we've done a lot of things together," Villalobos reflects. "El Camino has programs Compton could never afford. El Camino has

used some of the curricula we've developed in Compton."

Even after Compton gets its accreditation back and again is an independent district, "we hope we will continue to have a collaborative relationship, and establish some cooperative goals for the future," Key concludes. ☐

By David Bacon

Living with disaccreditation

The lessons of Compton

As controversy swirls over the role of the ACCJC in threatening the accreditation of City College of San Francisco, the long-running experience of Compton College offers insight into the enormous effect disaccreditation can have on the lives of teachers and classified employees. “It’s been like living on a roller coaster,” says Amankwa McKinzie, classified president of the Compton College Federation of Employees, AFT Local 3486.

The college serves Compton, Lynwood, Carson and the surrounding communities of south Los Angeles, some of the most economically depressed in the state. It was first sanctioned during the 2002-2003 school year after the district had a negative ending balance. The district didn’t file any financial reports with the state for three cycles – almost an entire year. Meanwhile, members of the Board of Trustees made questionable expenditures, were given cars, hired their girlfriends, and made irregular expenditures on their credit cards.

In 2004 the district was given a “Show Cause” order and placed in trusteeship, while a Fiscal

administrators took over some responsibilities there, and asked faculty and classifieds at El Camino to take on some added workload.

Despite promises of no layoffs, fifteen faculty members did lose their jobs, and after the union protested, only four terminations were rescinded. According to Jose Villalobos, faculty president of the Compton union, “Every teacher got a notice saying they’d be laid off. It took one or two semesters for people to even realize the college would continue.”

“We used to get 45-day layoff notices once a year,” McKinzie recalls. “Unless they were rescinded, you got laid off. It was very insecure, and you didn’t



Members of the Compton Federation of Classified Employees, AFT Local 3486, (left to right: Allegra Celestine, Travis Martin, Henry Ross), and District Board of Trustees member Deborah Leblanc, confront ACCJC president Barbara Beno at a hearing on accreditation at Compton College August 21.

“Compton should get its accreditation back now. No one understands why it should take this long. Things that needed to happen have happened. Why another 6-8 years?”

Crisis Management Assistance Team investigated. FCMAT found serious financial irregularities and recommended changes to take place over an indeterminate period of time. The school compressed its semester from 18 to 16 weeks to get students in and out faster, and reorganized its financial aid office.

No responsibility, yet paying price

At no time in the process was any question raised about the curriculum, the proficiency of teachers, or the work done by its classified employees. The union pointed out repeatedly that faculty and students had no responsibility for the board’s mismanagement, yet they were the ones paying the price. Nevertheless, in 2006 the ACCJC denied the school’s accreditation.

In those two years enrollment fell from 7000 to 5000. That August El Camino, eight miles away, signed a memorandum of understanding with Compton’s state-appointed trustee, taking over administration of the troubled district. El Camino

really know whether you had a job or not. Finally they stopped that process.”

For faculty, working with the teaching staff at El Camino was difficult at first. “The first semester they looked at us as

though we were bad teachers, somehow responsible for losing the accreditation,” Villalobos says. “Then they saw it was the administration. Since then we’ve done a lot of things together, and we’ve become friends.”

Many classified workers at El Camino had to take on a significantly higher workload. “We took the whole accounts payable department over to El Camino, so that it could mirror our process,” says Luukia Smith, president of the El Camino Classified Employees, AFT Local 6142. “Compton was low on staff, especially in financial aid, and building, scheduling and administrative assistants helped out. In athletics we tried to work so the progress of students wouldn’t

skip a beat.”

For this, El Camino classified employees got a small stipend of \$50 - 100 a month. Administrators got \$1000. “Then they tried to take ours away and keep theirs,” Smith fumes, a move the union stopped.

Helping one another

In academics, according to Ken Key, president of the El Camino Federation of Teachers, AFT Local 1388, “There was some division, but then we began helping one another. Compton was a little ahead of us in implementing SLOs. On the other hand, our budgeting and planning process at El Camino

has been very strong.”

It’s been nine years now, however. Enrollment at Compton crept back up, but then with the improving economy, it dropped again last year, from 6,000 to 5,300. The state still funds at the 6,000 student level, but everyone is worried. “We have a high school to college program,” Villalobos says. “We could offer more sections in the sciences, but we don’t have any rooms for holding more classes.”

Meanwhile, people in Compton are pushing to get their district back. In meetings and community forums residents are asking why it’s taking so long to get accreditation. That’s even had a positive impact on

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The ACCJC-Heald College connection

Despite increased scrutiny of the ACCJC’s actions over the past couple years, a moment when the agency did not act, and should have, has escaped attention.

Heald College, with a dozen campuses across California, was in the national news last spring when it was forced out of business as its parent organization, Corinthian Colleges, Inc., was hit by the U.S. Department of Education with a massive \$30 million fine and criminal charges of defrauding students. Unnoticed in the news cycle was Heald’s longtime accreditor: the ACCJC.

Heald was fully accredited by the ACCJC even after it was acquired by the lawbreaking Corinthian corporation in

2010, and until it was handed over by ACCJC to the Western Association of Schools and Colleges in 2012 with a recommendation from ACCJC to continue accreditation.

ACCJC dismissed any idea in 2010 that there might be a problem looming with Corinthian ownership of Heald. According to ACCJC president Barbara Beno in a *Bloomberg News* story at that time, “We judge the college we accredit,” said Barbara Beno, president of the commission. “It would be unfair to say, ‘Heald, you’ve

been bought by a parent corporation that doesn’t have as fine a track record as you do. Therefore we’ll condemn you.”

Why this startlingly laissez faire attitude toward the transition to Heald’s ownership by a predatory, lawbreaking corporation, with warning lights clearly flashing? We don’t know. We do know the result: the letter from the USDOE to Jack D. Massimino, CEO, Corinthian Colleges, Inc., on April 14, 2015, levying its fine on Corinthian, revealed that since ACCJC had provided no placement rate methodology for tracking students graduating Heald’s programs, the college

was free to devise its own formula to calculate job placement statistics, which it proceeded to do with inflated, imaginary numbers in reports to ACCJC.

And ACCJC didn’t notice. Thus, the agency broke the law in its overzealous attempt to close an excellent school (CCSF), while looking the other way as a lawbreaking school (Heald, operated by Corinthian) preyed on thousands of students. Both instances ended with similar catastrophic results: thousands of poor and working class students denied an education. ☐

By Fred Glass