



OFFICE OF THE CHANCELLOR

50 PHELAN AVENUE • BOX E200 • SAN FRANCISCO, CA 94112 • (415) 239-3303 • FAX (415) 239-3918

July 28, 2014

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

Dear Dr. Beno:

We are in receipt of your letter dated July 21, 2014 announcing the Commission's decision not to reconsider its prior termination action. All involved with the City College of San Francisco (CCSF) are greatly disappointed with this decision and certainly disagree with the cited conclusions, but write to initiate what appears the only remaining administrative option to continue accreditation beyond July 31st. Pursuant to the Policy on Commission Actions on Institution (Revised June 2014), CCSF submits this Request for Granting of Restoration Status (the Request), accompanied by a completed eligibility report confirming CCSF's compliance with the Eligibility Requirements. As you requested we are submitting this Request on July 28, 2014 to allow the Commission time to review it and advise whether additional information is needed. Please note that the issues raised in this letter were brought to your attention previously during the public comment period on the Policy, and the Commission chose not to amend the Policy.

CCSF recognizes that this is a new process for which detailed procedures have not yet been developed, but from the outset must confirm one key point regarding CCSF's status during the process. The Policy states that "for the period leading to completion of the comprehensive evaluation for restoration status, the termination effective date will be rescinded and the termination implementation will be suspended. The institution's accredited status will be accredited, pending termination." We are therefore proceeding under the assumption that during the review of the Request and until affirmatively notified otherwise, CCSF remains accredited. We also note that it remains unclear what status will be imposed when the comprehensive evaluation is favorable and the institution is "granted restoration status." Restoration status is not defined anywhere in the ACCJC standards, and therefore we would appreciate any additional guidance you can provide about what this means.

We also emphasize that CCSF is participating in this process because it simply has no other administrative option at this time. The submission of this Request and any other activities related to the restoration process in no way constitutes a waiver of CCSF's ability to contest the appropriateness of the imposition of this disadvantaged (and unprecedented) status or its terms in the future. Stated directly, CCSF is participating to protect approximately 80,000 current students we are dedicated to serving, and—but for the exigency associated with the effective date of the termination—would not agree to such unfavorable conditions that expand the scope of the compliance assessment, heighten the standard of review, provide a great deal

of uncertainty throughout the duration of the process, utilize procedures that have yet to be developed, and abolish the due process protections enjoyed by other ACCJC member institutions.

CCSF is very concerned about the language in the Policy requiring the institution to “fully meet all accreditation Standards and Commission policies.” The phrase “fully meets” is used repeatedly in this Policy but does not appear anywhere else in the Standards or policies. It would suggest that the slightest variation from compliance on any substandard or policy would be grounds for immediate termination. The Commission has no experience or track record in applying this new “fully meets” standard. CCSF finds this to be unreasonable and raises the potential for arbitrary and capricious action in the future.

This situation is more worrisome because at various points in this process the Commission would be authorized to “reactivate” the termination and the effective date of the termination will be immediate and CCSF would have no right to request a review or appeal, regardless of how minor the deviation may be. Given the difficult process over the past two years, this lack of due process is very troubling. It is unclear in the Policy how CCSF would even be notified of its termination. Immediate termination would create a number of significant problems.

Furthermore, the Commission is in the process of implementing new standards raising the possibility that CCSF will be held to this uniquely high level of compliance for two sets of standards and for policies that are amended on a regular basis. At this time, CCSF has not been formally notified which Standards will apply and whether CCSF will be held to a level of full compliance with policies that are amended at least twice each year.

The Policy further provides that “Upon receipt of the institution’s request, the Commission shall schedule a comprehensive evaluation of the institution no later than four months following the request. The institution must submit an institutional self-evaluation four to six weeks prior to the scheduled visit.” This allows only three months to complete such an important and comprehensive document. In the case of CCSF, this means the self-evaluation during a three month period that includes several weeks of summer vacation time and the opening weeks of the fall semester. Institutions normally take a year or more to prepare this type of self-evaluation document. Given the expectation that the self-evaluation report will include participation from all necessary constituent groups, this short period of time appears unreasonable.

Eligibility Requirement Three requires that the institution have a functioning governing board. As you know, the California Community Colleges Board of Governors on July 6, 2013 acted to remove the San Francisco Community College District Board of Trustees from power and appointed a single individual to serve as special trustee with all powers of the Board of Trustees. The Board of Governors reappointed the special trustee on July 7, 2014. CCSF has received informal assurances from the Commission that the special trustee meets requirement of Eligibility Requirement Three. However, given the language noted above regarding “fully meets” and the authority of the Commission to immediately terminate accreditation at any time, CCSF is concerned that it is in continuing jeopardy.

Given the requirement that the Request for Granting of Restoration Status be submitted by July 31, 2014, CCSF must apply before a manual for the process has been provided. Therefore, CCSF has not had an opportunity to gain a full understanding of the Commission's expectation and procedures regarding this important process. For example, while there have been some informal communications, CCSF has not been told how the visiting team for the comprehensive evaluation will be assembled and how the visit will be conducted.

For these reasons, CCSF submits this Request for Granting of Restoration Status with serious reservations. Everyone at City College is dedicated to completing the recovery of the college, meeting all the eligibility requirements and standards and ultimately having ACCJC reaffirm accreditation.

We ask that the Commission support us in that endeavor by making the pathway to completion of the restoration process as clear and transparent as possible, and by communicating with us frequently as we move through the process. If you would like to discuss any of these issues, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Q. Tyler', written in a cursive style.

Dr. Arthur Q. Tyler
Chancellor

cc: Dr. Robert Agrella, Special Trustee