

Name: WASC Accrediting Commission For Community and Junior Colleges	Meeting Date: 02/22/2017	Response Submit Date: 01/18/2017	Status: Final Review	Type: Compliance Report
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U.S. Department of Education

Staff Report

to the

Senior Department Official

on

Recognition Compliance Issues

<h2>Recommendation Page</h2>

1. **Agency:** WASC Accrediting Commission For Community and Junior Colleges
2. **Action Item:** Compliance Report
3. **Current Scope of Recognition:** The accreditation and preaccreditation ("Candidate for Accreditation") of community and other colleges with a primarily pre-baccalaureate mission located in California, Hawaii, the United States territories of Guam and American Samoa, the Republic of Palau, the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, and the Republic of the Marshall Islands, which offer certificates, associate degrees, and the first baccalaureate degree by means of a substantive change review offered by institutions that are already accredited by the agency, and such programs offered via distance education and correspondence education at these colleges. This recognition also extends to the Committee on Substantive Change of the Commission, for decisions on substantive changes, and the Appeals Panel.
4. **Requested Scope of Recognition:** Same as above
5. **Date of Advisory Committee Meeting:** February 22, 2017
6. **Staff Recommendation:** Renew the agency's recognition for one and one-half years, and lift the limitation imposed in the April 5, 2016, decision letter.
7. **Issues or Problems:** None

<h2>Executive Summary</h2>

Part I: General Information About The Agency

The Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges (ACCJC or the agency) is an institutional accreditor. The agency's institutions are voluntary members that offer two-year educational programs and award associate degrees. The institutions include community colleges, private religious institutions, for-profit and independent nonprofit vocational institutions, and independent junior colleges.

The agency has approximately 130 accredited member institutions. The member institutions are located in California, Hawaii, the United States territories of Guam and American Samoa, the Republic of Palau, the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, and the Republic of the Marshall Islands. The majority of the agency's member institutions offer at least some courses via distance education.

The agency's recognition enables its institutions to establish eligibility to receive Federal student assistance funding under Title IV of the Higher Education Act of 1965, as amended (Title IV). The agency must meet the Secretary's separate and independent requirements.

Recognition History

The agency was one of the three original commissions that made up the Western College Association (now the Western Association of Schools and Colleges), which was first recognized by the U.S. Commissioner of Education in 1952. In 1962, the Commissioner of Education recognized the present commission separately. Since that time, the agency has been periodically reviewed and has been

granted continued recognition.

In late spring of 2013, the Department received a complaint from the California Federation of Teachers (CFT), as well as other interested parties, about ACCJC. The specific complaint was provided to ACCJC by the CFT at the same time as submitted to the Department. After ACCJC concluded its complaint process, Department staff investigated the complaint, to include a request for additional information from ACCJC, and provided its non-final analysis in a letter dated August 13, 2013. Although not final, the letter instructed ACCJC to take immediate steps to correct the areas of non-compliance identified, and to provide its response to those areas within its response to the draft staff analysis of the agency's petition for recognition in September 2013. A review of the agency's corrective action and compliance with the cited sections were included within the December 2013 final staff report, which likewise did not reflect a final decision by the Department.

The agency came before the National Advisory Committee on Institutional Quality and Integrity (NACIQI or the Committee) in December 2013 to review its request for renewal of recognition and an expansion of scope request. Both NACIQI and Department staff recommended an expansion of scope to include the first baccalaureate degree by means of substantive change, the continued recognition of the agency and that it come into compliance within 12 months and submit a compliance report on the deficient 15 sections of the Secretary's Criteria for Recognition. The senior Department official, Acting Assistant Secretary Brenda Dann-Messier, concurred with the recommendations, to include an expansion of scope to include the first baccalaureate degree by means of substantive change, and found the agency out of compliance with 15 sections, granted continued recognition of the agency, and required that it come into compliance within 12 months and submit a compliance report. ACCJC disagreed with the findings in two sections (602.13 and 602.15(a)(3)) and appealed the decision regarding those sections to the Secretary.

The agency came before the NACIQI in December 2015 in regards to an expansion of scope request and the compliance report in response to the finding by the senior Department official regarding the 13 sections of the Secretary's Criteria for Recognition that were not appealed by ACCJC. Both NACIQI and Department staff recommended the denial of the requested expansion of scope to include baccalaureate degrees, a limitation to the current baccalaureate degrees already approved, and the continued recognition of the agency and submit a compliance report on the seven deficient sections of the Secretary's Criteria for Recognition. Department staff recommended a 12-month good cause extension, whereas NACIQI recommended a six-month extension. The senior Department official, Acting Assistant Secretary Lynn B. Mahaffie, concurred with the recommended findings, and denied the expansion of scope request, limited the agency's current scope with respect to baccalaureate degrees to only those degrees currently approved, found the agency out of compliance with seven sections (four of which were related to the expansion of scope request), granted continued recognition of the agency under a good cause extension, and required that it come into compliance within six months and submit a compliance report.

On January 4, 2016, then Acting Secretary John King affirmed the decision concerning the two sections, 602.13 and 602.15(a)(3), that ACCJC had appealed. The Secretary also granted continued recognition pending the submission of a compliance report on Sections 602.13 and 602.15(a)(3) within 12 months.

The compliance report currently before the Department is in response to the findings for which ACCJC was given a good cause extension, the limitation on the agency's scope to exclude new baccalaureate degrees, and the findings of non-compliance with Sections 602.13 and 602.15(a)(3) affirmed by the Secretary on appeal. The agency was not due for review of the items it had appealed at this time, but requested to be reviewed early.

In conjunction with the agency's compliance report, Department staff also reviewed the agency's request to lift the limitation from its scope, supporting documentation, and observed an on-site evaluation and committee meeting in October 2016.

Since the agency's last review in December 2015, the Department has reviewed three complaints received which are all related to sections of the Secretary's Criteria for Recognition that were appealed by ACCJC. One complaint was reviewed and closed without findings of non-compliance. The review of the remaining two complaints has been included in the relevant sections of this analysis of the compliance report. The Department has also received a fourth complaint that was submitted simultaneously to the Department and the agency in August 2016. The agency has not yet completed its analysis of that complaint. Per policy, the Department will review the complaint once the agency has completed its review and if the complainants are not satisfied with the outcome provided by the agency. As a result, the current analysis does not address the fourth complaint.

Part II: Summary Of Findings

602.12(b) Expansion of Scope

(b) A recognized agency seeking an expansion of its scope of recognition must demonstrate that it has granted accreditation or preaccreditation covering the range of the specific degrees, certificates, institutions, and programs for which it seeks the expansion of scope.

(NOTE: Only recognized agencies seeking an expansion of scope need to respond.)

Previous issue: When the agency's compliance report was reviewed in December 2015, Department staff found that the agency did

not demonstrate that it had a consistent, regular, and thorough process for the review and approval of baccalaureate degree programs via its substantive change process or comprehensive accreditation process.

Discussion: The recognition of ACCJC currently covers the preaccreditation and accreditation of community and other colleges with a primarily pre-baccalaureate mission within its region and via distance education and correspondence education. Its scope also includes the first baccalaureate degree offered by an accredited institution via the substantive change process that occurred prior to the limitation set in April 2016. The agency is requesting that the limitation be lifted.

With regards to the limitation, Department staff found that the agency's overall policies and standards were not comprehensive to evaluate baccalaureate degree programs, most notably in the areas of curricula and faculty requirements. In addition, the agency did not demonstrate, in practice, that its substantive change review process for baccalaureate degrees was consistent, regular, and thorough.

In response to the Department's findings, the agency submitted its new and revised policies and procedures related to the review and evaluation of baccalaureate degree programs outside of the initial review via the substantive change process. These policies and procedures appear to address the prior findings of Department staff with relation to curricula and faculty requirements. As noted by the agency, the first evaluations to utilize these new and revised policies and procedures will not occur until fall 2016. Therefore, the agency must submit documentation of implementation of these policies, procedures, and reports in response to the draft staff analysis.

The agency did not provide any information or documentation regarding the Department's concerns of the implementation of its substantive change review process for baccalaureate degree programs, based on the on-site observation by Department staff in 2015. The agency must provide information and documentation concerning the changes made to the substantive change review process for baccalaureate degree programs, such as committee policies and procedures, training of committee members, etc., in response to the draft staff analysis.

In October 2016, Department staff observed an on-site evaluation to an institution that has applied to add a baccalaureate degree program, as well as a meeting of the Committee on Substantive Change, which reviews such applications. Department staff observed that the evaluation team used both the agency's Policy on Substantive Change and Policy on the Accreditation of Baccalaureate Degrees in its review, which appeared to be comprehensive in nature. In addition, Department staff observed that the Committee on Substantive Change appeared to be very knowledgeable of their role and responsibilities in the review of baccalaureate programs, and used the agency's policies to guide discussions and decisions.

602.13 Acceptance of the agency by others.

The agency must demonstrate that its standards, policies, procedures, and decisions to grant or deny accreditation are widely accepted in the United States by--

(a) Educators and educational institutions; and

(b) Licensing bodies, practitioners, and employers in the professional or vocational fields for which the educational institutions or programs within the agency's jurisdiction prepare their students.

Previous issue: When ACCJC's petition was reviewed in December 2013, Department staff found ACCJC did not demonstrate that its standards, policies, procedures, and decisions to grant or deny accreditation are widely accepted in the United States by educators. In addition, ACCJC was asked to respond to two complaints received since December 2013, as the Department could not process those complaints while this section was under appeal.

Discussion: In response, ACCJC provided information and documentation concerning the wide acceptance of its standards, policies, procedures, and decisions to grant or deny accreditation by educators, as well as a response to the 2 complaints in this section.

To demonstrate wide acceptance by educators, ACCJC provided a significant number of letters from educators and educational administrators, to include faculty, deans and department heads, which endorsed ACCJC and its standards, policies, procedures, and decisions. These letters were from educators across ACCJC's region. ACCJC also provided a summary of the evaluations for various symposiums and workshops, which were attended by educators and educational administrators. The number and breadth of support from educators within its region is compelling to demonstrate wide acceptance by educators of its standards, policies, procedures, and decisions to grant or deny accreditation.

Department staff notes the significant number of letters from educators, educator groups, union organizations, and the public within the third-party comments that do not support ACCJC and its standards, policies, procedures, and decisions. These comments were overwhelmingly from the San Francisco area and related to one institution, City College of San Francisco (CCSF). Even though the number of comments opposed to ACCJC is close to equal to those in support, the fact that the letters are primarily related to one institution is not, in and of itself, compelling to demonstrate a lack of wide acceptance – especially as many of the third-party

comments in opposition are not from educators.

Within its expanded narrative, ACCJC states that the wide acceptance by educators, as required by this section, does not mean unanimous acceptance. Department staff agrees. ACCJC also states that a State agency is not included within the educator category. Department staff also agrees. However the opinion of the State agency that oversees a majority of ACCJC's membership - in the form of the California Community College Chancellor's Office Task Force Report on Accreditation 2015 (Task Force Report) - must be reviewed seriously by both ACCJC and the Department, especially when such a report recommends a "new model for accreditation" which could include the replacement of ACCJC. This is true for the review of the March 2016 Resolution from the Board of Governors of the California Community Colleges (Resolution) in review of the Task Force Report, as well as the June 2014 California State Auditor's Report (Auditor Report).

Based on the narrative and documentation provided, ACCJC appears to regard the Task Force Report as politically-motivated interference and punishment for its action on CCSF. Nonetheless, within its expanded narrative and documentation, ACCJC addressed the specific concerns included within the Task Force Report - lost confidence of members, more frequent sanctions than other accreditors, insufficient transparency of decision meetings, and inaction on past recommendations. ACCJC used the results of an independent survey included within the Auditor Report, the letters of support from educators and educational administrators, and its own accreditation data and standards review process, to support its narrative to address the concerns. Notably, the survey results from the Auditor Report showed a high level of support for ACCJC's actions and evaluation teams.

With regards to the Resolution, ACCJC framed it as supportive of the agency. Department staff notes that the final resolution "directs the Chancellor to ... Present to the Board of Governors final recommendations on a new structure or agency for accreditation of the California Community Colleges based on the work of the planning groups coordinated by the CEO's, review the formal plan for college transition and bring to the Board of Governors the necessary information for the Board to recommend a new accreditor for the California Community Colleges to be submitted to the U.S. Department of Education for approval," which does not appear to be supportive of ACCJC. Another part of the Resolution supports the collaboration of the CEOs of California community colleges with ACCJC, and ACCJC provided information and documentation to demonstrate implementation of such collaboration to improve the agency. Specifically, ACCJC provided documentation on the two work groups formed by the CEOs of California community colleges, the recommendations from one work group, and ACCJC's response to those recommendations. Third-party comments supportive of this collaboration were received from the CEOs of the Community College League for California, the California Community College Chancellor's Office, and the Academic Senate for California Community Colleges.

In response to the two complaints, ACCJC provided information and documentation to address the concerns related to this section. Specifically, ACCJC addressed the concerns included within the Auditor Report, submitted by both complaints, within its narrative response and documentation. The specific concerns of the Auditor report include inconsistent application of standards and policies, lack of transparency of decision meetings, appeal evidence, and the sanctioning rate of ACCJC. ACCJC used the results of an independent survey included within the Auditor Report, the letters of support from educators and educational administrators, and its own accreditation data and standards review process, to support its narrative and address the concerns of the complainants. Department staff notes that some of the areas of concern noted in the complaints, such as selection of commissioners and conflict of interest, were previously cited by the Department, addressed by ACCJC and found to have been remedied. These complaints do not provide for any new instances of noncompliance in these areas, so no further action is warranted.

Department staff notes that some of the areas noted in the Task Force Report, Auditor Report, and third-party comments, such as sanctioning rate of ACCJC, what evidence should be reviewed within an appeal, and transparency of a commission meeting, are not covered by the Federal regulations regarding the recognition of accrediting agencies by the Department, and therefore are outside the scope of this review. The review of the merits of commission decisions on an individual institution as noted by the complainants is also outside the authority of the Department.

In October 2016, Department staff observed an on-site evaluation and committee meeting. Both review entities were comprised of individuals from ACCJC member institutions and those outside that community. Department staff observed support of ACCJC by diverse stakeholders - commissioners, evaluators, and institution and district personnel.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided information and documentation to demonstrate that the agency has a consistent, regular, and thorough process for the review and approval of baccalaureate degree programs via its revised substantive change process. Specifically, the agency provided documentation of the implementation of its revised policies, procedures, and reports for the review of baccalaureate degree programs via the substantive change process and within a comprehensive accreditation review.

The agency also provided information and documentation regarding the Department's concerns of the implementation of its substantive change review process for baccalaureate degree programs, based on the on-site observation by Department staff in 2015. Specifically, the agency provided the revised committee policies and procedures, as well as information on the training provided to committee members and evaluation team members.

602.15(a)(3) Academic/Administrator Representatives

(3) Academic and administrative personnel on its evaluation, policy, and decision-making bodies, if the agency accredits institutions;

Previous issue: When the agency's petition was reviewed in December 2013, Department staff found the agency did not demonstrate that academic personnel, as generally defined by the accreditation and wider higher education community, are represented on its evaluation teams.

In addition to the previous issue, the agency was asked to respond to two complaints received since the agency's last review of this section in December 2013, as the Department could not process those complaints while this section was under appeal.

Discussion: In response to the findings, the agency provided additional information and documentation concerning representation of academic personnel on its evaluation teams, as well as a response to the two complaints in this area.

The agency provided its revised definition of an academic representative and its revised protocol for the evaluation team selection to demonstrate that the agency now meets the requirements of this section. Specifically, the revised definition now excludes student services personnel as an academic, and more closely reflects the definition of academic representation by the wider higher education and accreditation community. In addition, the protocol for evaluation team selection now requires two to three academic representatives, instead of just one, on each team.

The agency also provided examples of three evaluation team rosters to demonstrate implementation of the revised definition and protocol. Third-party commenters allege that academic representation is still deficient on evaluation teams since the implementation of the new definition and protocol. To demonstrate comprehensive compliance with this section, the agency needs to provide complete documentation of the evaluation team rosters for all on-site evaluations for the first six months of 2016, as well as the current curricula vitae for each academic representative on the rosters.

In response to the two complaints, the agency provided information and documentation to address the concerns related to this section. Specifically, the agency provided information and documentation concerning the changes made to policies and procedures to address concerns in the area of academic representation on evaluation teams and appeal panels. Although the agency provided documentation that there was an academic representative on the appeals panel for City College of San Francisco (CCSF), that documentation includes academic experience from 2003 and earlier for the representative. Therefore, the agency needs to provide documentation of more current experience for the academic representative to demonstrate that the individual fulfilled that role at the time of the appeal, as required by the agency's selection protocol and this section.

Third-party commenters also allege that the individuals listed as academic representatives on the Commission do not accurately fulfill those roles, and in fact are administrative representatives. To demonstrate comprehensive compliance, the agency needs to provide the current Commission roster and curricula vitae for all academic representatives, as well as the agency's bylaws to determine the required composition.

In October 2016, Department staff observed an on-site evaluation to an institution that has applied to add a baccalaureate degree program and a meeting of the Committee on Substantive Change, which reviews such applications. Both entities included academic representatives.

602.18(e) Report Clearly Identifies Deficiencies

(e) Provides the institution or program with a detailed written report that clearly identifies any deficiencies in the institution's or program's compliance with the agency's standards.

Previous issue: When the agency's compliance report was reviewed in December 2015, Department staff found that the agency did not demonstrate that its commission action letters clearly delineated between areas of non-compliance and areas for improvement.

Discussion: In response to the Department's finding, the agency revised its commission action letters to reflect a clear delineation between areas of non-compliance and areas for improvement. Specifically, the agency has removed the reporting requirement for improvement recommendations. The agency provided documentation of implementation of these new letters to demonstrate implementation of the revised commission action letters and compliance with this section.

602.20(b) Enforcement Action

(b) If the institution or program does not bring itself into compliance within the specified period, the agency must take immediate adverse action unless the agency, for good cause, extends the period for achieving compliance.

Previous issue: When the agency's compliance report was reviewed in December 2015, Department staff found that the agency did not demonstrate clear and effective usage of a good cause extension and therefore compliance with this section.

Discussion: In response to the Department's finding, the agency revised its protocol for developing commission action letters which include good cause extensions or language related to such extensions. Specifically, the agency requires commission action letters to include detailed information to clearly identify the use of a good cause extension and the length of such extension.

Although the agency has not had the opportunity to implement a good cause extension since December 2015, the agency provided documentation of the inclusion of clear language concerning the use of a good cause extension provided previously, and the institution's return to compliance.

602.25(a-e) Basic Due Process Requirements

The agency must demonstrate that the procedures it uses throughout the accrediting process satisfy due process. The agency meets this requirement if the agency does the following:

- (a) Provides adequate written specification of its requirements, including clear standards, for an institution or program to be accredited or preaccredited.**
- (b) Uses procedures that afford an institution or program a reasonable period of time to comply with the agency's requests for information and documents.**
- (c) Provides written specification of any deficiencies identified at the institution or program examined.**
- (d) Provides sufficient opportunity for a written response by an institution or program regarding any deficiencies identified by the agency, to be considered by the agency within a timeframe determined by the agency, and before any adverse action is taken.**
- (e) Notifies the institution or program in writing of any adverse accrediting action or an action to place the institution or program on probation or show cause. The notice describes the basis.**

Previous issue: When the agency's compliance report was reviewed in December 2015, Department staff found that the agency did not demonstrate that its commission action letters clearly provided written specification of any deficiencies identified at the institution examined.

Discussion: In response to the Department's finding, the agency revised its commission action letters to reflect a clear delineation between areas of non-compliance and areas for improvement. Specifically, the agency has removed the reporting requirement for improvement recommendations. The agency provided documentation of implementation of these new letters to demonstrate implementation of the revised commission action letters and compliance with written specification of deficiencies provision of this section.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided complete documentation of the evaluation team rosters for all on-site evaluations for the first six months of 2016, as well as documentation of the current experience for each academic representative on those rosters. The documentation demonstrated that the evaluation teams included at least three academic representatives who met definition used by the wider higher education and accreditation community, as well as the agency's own definition and protocol.

The agency also provided documentation of more current experience for the academic representative on the 2013 appeal panel to demonstrate that the individual fulfilled the role of an academic at the time of the appeal, as required by the agency's selection protocol and this section.

In addition, the agency provided the current Commission roster and curricula vitae for all academic representatives, as well as the agency's bylaws to demonstrate the Commission meets the required composition.

Part III: Third Party Comments

Staff Analysis of 3rd Party Written Comments

Over 120 written third-party comments were received regarding this agency. The comments mostly reflect negative views regarding ACCJC, with eight comments in support and three neutral. Most of the comments are on behalf of individuals, but some are on behalf of organizations. Most of the commenters tied their areas of alleged noncompliance to Sections 602.13 and 602.15(a)(3) of the Secretary's Criteria for Recognition (Criteria). Any applicable comments are discussed in those sections.

The majority of commenters are associated with or in support of City College of San Francisco (CCSF), such as students, faculty, San Franciscans, and politicians. In those comments, the overwhelming opinion expressed is that CCSF was not reviewed fairly by ACCJC, that CCSF should regain accreditation, and that ACCJC should be denied recognition.

Of the organizations, 11 were from union organizations, three were from faculty associations, one from the California Community College Chancellor's Office, and one from the CEOs of the Community College League for California. The comments from union organizations requested denial of recognition for ACCJC. The other comments suggested that ACCJC was working to improve, but more needed to be done.

Many of the individual and union commenters resubmitted areas of noncompliance noted in prior reviews by the Department, such as conflict of interest, evaluation in light of mission, etc. As these areas have been reviewed by the Department, addressed by ACCJC, and deemed in compliance by Department staff, those same issues cannot be the basis for a new non-compliance finding, unless there were to be new information and documentation that ACCJC was noncompliant with those areas of the Criteria. The commenters did not provide new information.

Another item raised was the Commission's accreditation decision for CCSF that was different than the recommendation of the evaluation team. Federal regulations require the decision-making body of an accrediting agency to conduct an independent review of all relevant information and documentation in making an accreditation decision. Federal regulations provide for, and require, such independent review by the Commission, not only for ACCJC but all agencies.

Commenters also presented the People of the State of California vs. ACCJC decision as an item to demonstrate ACCJC's non-compliance with the Criteria. Department staff reviewed the decision, the information provided by commenters, and the information and documentation provided by ACCJC. Based on that review, ACCJC has fulfilled the requirements of the judge's decision, provided the required due process to CCSF, and therefore addressed the judge's findings, which Department staff does not find to have identified any additional unresolved areas of non-compliance with federal recognition requirements.

With regards to compliance with State laws, it is not the role of the Department to interpret State laws or enforce them. As an independent, voluntary, membership organization, ACCJC makes its own standards, as approved by its members. In addition, the HEA allows for an agency to adopt standards not provided for in Federal law.

Regarding the sanctioning of institutions, Federal regulations do not require that an agency follow a specific order of sanctions, from lesser to greater. In fact, Section 602.20(a) requires an agency to initiate an adverse action as soon as it finds an institution out of compliance with any standard, or provide a limited timeframe to return to compliance.

With regards to governance issues (to include union agreements, etc.), the Department does not review such issues as Federal regulations do not require standards related to governance. The Department cannot find an agency out of compliance merely for adopting and implementing standards not required by federal law.

Regarding accreditation decisions, the Department does not have the authority to take part in the making of any accreditation decision by ACCJC or any agency.

At least three comments appear to be complaints. The Department does not typically commence a review of an agency based on individual complaints unless and until a complainant exhausts ACCJC's published complaint procedures. The comments do not reflect that this has occurred. In addition, it is not clear that all of the issues raised in those comments would indicate noncompliance with the Criteria by ACCJC. However, there are areas within this analysis where the commenters' concerns are parallel to those of the Department. The Department has noted in this analysis that it has questions related to ACCJC's academic representation in Section 602.15(a)(3).

In the comments, there were citations to Criteria under which ACCJC was not under review within this compliance report. Due to the limited scope of this review, those issues were not covered. However, Department staff is reviewing that information for non-compliance and will initiate a new process for review, if warranted.

Agency Response to 3rd Party Comments

ACCJC agrees with ED's draft analysis of third party comments that are critical of ACCJC or seek a decision to revoke recognition of ACCJC by ED. We note that we provided voluminous third party comment as part of our compliance report. That report included more than 130 written comments from diverse educators and educational institutions in support of ACCJC's standards, policies, procedures, and decisions. A significant proportion of those comments came from academics, including faculty members. Eight additional supportive comments were made directly to the Department through the third party comment process.

As the staff report recognizes, about 80% of the negative third party comments were submitted by stakeholders of the City College of San Francisco (CCSF) and/or focused principally or solely on ACCJC's previous decision to withdraw accreditation from CCSF. Many of the negative comments are unrelated to any recognition criteria; many are redundant of past complaints and statements made to ED and NACIQI; many are rhetorical without any basis in evidence (such as unsupported assertions that ACCJC is punitive or retaliatory towards those who call for reforming ACCJC). Some of the comments also are moot, given ACCJC's action at its January 12, 2017, Board meeting to reaffirm CCSF's accreditation. Most of the comments are responded to in ACCJC's compliance report.

Although we agree with the draft staff report's analysis of these comments, we are taking the liberty to respond briefly to several points made in the comments – not to correct anything said in the draft staff report, but rather to avoid misunderstanding by members of NACIQI or other ED officials as our compliance report is further reviewed (see attached narrative).

Staff Analysis of Agency Response to 3rd Party Comments

In response to the draft staff analysis, the agency provided a response to the third-party comments. That response specifically focused on the comment from the AFT/CFT, as well as comments concerning collective bargaining, collaboration with faculty, removal of site visit team recommendations on accreditation, and Compton Community College.

The Department notes that there are no remaining areas of non-compliance noted within this compliance report. However, as noted in the draft staff analysis, there were comments related to citations to Criteria under which ACCJC was not under review within this compliance report. Due to the limited scope of this review, those issues were not covered. However, Department staff is continuing to review that information for non-compliance and will initiate a new process for review, if warranted.