MEMO TO: Chief Executive Officers, Accreditation Liaison Officers, Board Chairpersons, Academic Senate Presidents

FROM: John C. Petersen, Executive Director

DATE: January 29, 1993

SUBJECT: Report on the January 11-12, 1993 Commission Meeting

The Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges, met on January 11-12, 1993 in San Francisco.

Higher Education Act Reauthorization of 1992

The Commission heard a report from the Executive Director on progress in implementing the Act. The debates over Reauthorization included many statements of concern about the student loan default issue, with a number of people in high places appearing to have concluded that high default rates were attributable to weak performance by accrediting agencies.

For better or worse, institutional accrediting agencies, along with the U.S. Department of Education and State Governments, serve as gatekeepers in the determination of eligibility of institutions to participate in federal student aid programs. It is probably unfortunate that government should rely on nongovernmental accreditation to do the work of government. But it is clear that the community of institutions that are served by accrediting agencies do want that role for accreditation -- if only because the alternative, more direct state or federal oversight of institutions, is not wanted.

The 1992 Reauthorization Act imposes more burdens on accrediting agencies to monitor institutions. Accrediting agencies face new demands as a condition of their recognition (now regulation) by the Secretary of Education. New criteria for recognition include constraints on the appointment of Commissioners, the requirement of an "unannounced visit" (!) and proposals that quantitative accreditation standards be imposed by the Commission. Needless to say, I'm not pleased with these developments.

Regulations to implement the new law are being drafted by Department staff. Certain sections of the law, including regulations governing recognition of accrediting agencies, will be subject to a Negotiated Rulemaking process. As a member of the Negotiated Rulemaking panel, I have asked that implementation of regulations be deferred until the new Secretary has been able to review them. It is
my opinion that the U.S.D.E. staff is pressing hard for rapid completion of the policy initiatives of former Secretary Alexander.

Whatever the outcome of the Negotiated Rulemaking process, a Notice of Proposed Rulemaking (NPRM) will appear some time in early spring in the Federal Register. At that time it will be possible for the public and institutions to comment on the regulations before final adoption.

**Student and Public Complaints Policy**

A new policy and procedure to address complaints against institutions was adopted. The policy draft was distributed to all member colleges in the fall and received overwhelming approval.

The new policy (copy attached) was prompted by the need to define the range of issues about which complaints would be investigated and to improve the handling of complaints. There is also the need to better manage the Commission's accountability for the investigation of complaints against private institutions required by state and federal law.

A significant related effort was the adoption of an amended accreditation Standard 3A.4 (copy attached) which will require accredited institutions to have an effective student grievance policy. A strong grievance policy at the college level should sharply reduce the number of complaints about colleges that are brought to the Commission.

**Accrediting Commission Self-Evaluation**

The Commission approved the budgeting of funds to support the use of an outside consultant in the design, administration, and analysis of a survey of constituent colleges. It is the intention of the Commission to follow that survey with an independent outside review panel which will observe and evaluate all aspects of our work. The results should help to guide development of the next edition of the Handbook of Accreditation.

**Fee Schedule for 1993-94**

No change will be made in the schedule of fees charged by the Commission. The Annual Fee, which supports the office and Commission activities, and the Evaluation Service Charge, which pays the expenses of evaluation teams, will remain the same for the next year, and probably for a year or two following that.

**Commission Actions on Institutions**

(See attached.)

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Enclosures
STUDENT AND PUBLIC COMPLAINTS AGAINST INSTITUTIONS

Accreditation by the Western Association of Schools and Colleges is an expression of confidence that an institution is satisfactorily achieving its objectives, and that it meets or exceeds the Commission's standards of quality, integrity and effectiveness. The Commission is concerned with institutional integrity and with performance consistent with Commission standards and policies. While it cannot intervene in the internal procedures of institutions or act as a regulatory body, the Commission can and does respond to complaints regarding allegations of conditions at affiliated institutions that raise significant questions about the institution's compliance with the standards of conduct expected of an accredited institution.

The Commission does not consider allegations concerning the personal lives of individuals connected with its affiliated institutions. It assumes no responsibility for adjudicating isolated individual grievances between students, faculty, or members of the public and individual institutions. The Commission will not act as a court of appeal in matters of admission, granting or transfer of academic credit, grades, fees, student financial aid, student discipline, collective bargaining, faculty appointments, promotion, tenure and dismissals or similar matters. If the complainant has instituted litigation against the institution, no action will be taken by the Commission while the matter is under judicial consideration.

Complaints are considered only when made in writing and when the complainant is clearly identified. Substantial evidence should be included in support of the allegation that the institution is in significant violation of the rules of good practice as stated in the Commission's criteria, standards and policies. Such evidence should state relevant and provable facts. The Commission requires that each affiliated institution have in place student grievance and public complaint policies and procedures that are reasonable, fairly administered, and well-publicized. The complainant should demonstrate that a serious effort has been made to pursue all review procedures provided by the institution.

When the Commission receives a complaint about a candidate or accredited institution, it reviews that information to determine if it is relevant to the compliance of that institution with Commission standards. If appropriate, such information may be referred to the institution or to the visiting team next scheduled to evaluate the institution. The Commission at all times reserves the right to request information of an affiliated institution and to visit that institution for purposes of fact-finding, consistent with Commission policy. A pattern of concern which may evidence a significant lack of compliance with standards could cause the Commission to renew its consideration of the matter for whatever action may be appropriate. If information is received raising issues of institutional integrity, the Commission may invoke the sanctions provided for in policy.

Note: California Education Code Section 94332 requires that complaints filed against WASC-affiliated private institutions in California with the Council for Private Postsecondary Institutions be forwarded to WASC for review.
PROCEDURES

1. Within ten days of the receipt of a complaint it will be acknowledged in writing and initially reviewed by the staff of the Commission.

   It is the complainant's responsibility to do the following:

   a. State the complaint in the clearest possible terms.
   b. Provide, in writing, a clear description of the evidence upon which the allegation is based.
   c. Demonstrate that all remedies available at the institution (grievance procedures, appeals hearings, etc.) have been exhausted. The complainant should describe what has been done in this regard.
   d. Attest that the matter in question is not under litigation.
   e. Acknowledge awareness that Commission staff may send a copy of the complaint to the president of the institution.
   f. Sign the complaint.

2. If the Executive Director finds the complaint to be not within the scope of Commission policies and jurisdiction, the complainant will be so notified. Individual complaints, whether acted upon or not by the Commission, will be retained in Commission files.

3. If the complaint appears to be within the scope of Commission policies and jurisdiction, and is substantially documented, a copy of the complaint will be forwarded to the institution's chief executive, who will be asked to respond to the Executive Director within thirty days. The Executive Director will send a copy of the complaint and correspondence to the chairperson of the Accrediting Commission.

4. The Commission staff will review the complaint, the response, and evidence submitted by the institution's president, and will determine one of the following:

   a. That the complaint will not be processed further.
   b. That the complaint has sufficient substance to warrant further investigation (which may include referral to the Commission).

   Although every effort will be made to expedite this final decision, it is not possible to guarantee a specific time frame in which the process will be completed. If further investigation is warranted, the time required to conduct the investigation may vary considerably depending on the circumstances and the nature of the complaint.

5. The complainant and the institution will be notified of the outcome of the review of the complaint.

   a. If the complaint is investigated further, as in 4.b above, the complainant and the institution will be notified of the outcome of the investigation.
Prior to the Commission's disposition of the complaint, the institution will have an opportunity to respond in writing within thirty days to the findings of the investigation. The complainant and the institution involved will be notified of the decision. The decision as communicated by the Executive Director is final.

b. If the complaint was referred to ACCJC by another agency, that agency will receive copies of correspondence that state the outcome of the complaint.
3A.4 Policies on student rights and responsibilities, including the rights of due process and redress of grievances and rules defining inappropriate student conduct, are clearly stated and readily available.

The institution shall have in place a student grievance policy that clearly states the rights of appeal, defines the appellate body, and establishes decision-making authority and responsibility.

The student grievance policy shall be implemented through a procedure which:

- Is well-publicized and accessible
- States how and by whom the appellate body will be named
- Clearly identifies the person, position or offices to whom inquiries about grievances should be directed
- Provides for fact-finding
- Can be completed within a reasonable time frame
- States any limitations on the involvement of advocates
At its meeting, January 11-12, 1993, the Accrediting Commission for Community and Junior Colleges took the following institutional actions:

Reaffirmed Accreditation
Antelope Valley College, Lancaster, CA  
College of Oceaneering, Wilmington, CA  
Irvine Valley College, Irvine, CA  
Merced College, Merced, CA  
Saddleback College, Mission Viejo, CA

Accepted Reports of Interim Visits
American Samoa Community College, Pago Pago, American Samoa  
Heald Institutes of Technology, San Francisco, CA

Accepted Interim Reports
College of the Canyons, Santa Clarita, CA  
Lassen College, Susanville, CA  
Los Angeles Mission College, Sylmar, CA

Accepted Eligibility Report: Authorized Scheduling of Evaluation for Candidacy or Accreditation
Los Angeles County Medical Center School of Nursing, Los Angeles, CA  
Tokai International College, Honolulu, HI

Accepted Substantive Change Reports
College of the Marshall Islands, Majuro, Marshall Islands  
Community College of Micronesia, Kolonia, FSM  
Micronesian Occupational College, Koror, Palau T.T.  
Mission College, Santa Clara, CA

John C. Petersen  
Accrediting Commission for Community and Junior Colleges  

January 27, 1993