Excerpt from Board of Trustees Special Meeting Agenda

Discussion of Trustee Patterson's Letter of Support for Complaint Against Accrediting Commission of Community and Junior Colleges, and Request for Review of Coast Community Colleges Accreditation Warning Status (See Attachment)

Attachment from Board of Trustees Special Meeting

Trustee Jerry Patterson
1370 Adams Avenue
Costa Mesa, Ca 92626

August 20, 2013

Kay Gilcher, Director of the Accreditation Division
Office of Post Secondary Education
US Department of Education
1990 K Street, NW
Washington, DC
20006

Re: Letter of Support for Complaint Against Accrediting Commission of Community and Junior Colleges and Request for Review of Coast Community Colleges Accreditation Warning Status

Dear Director Gilcher,

I am writing as one community college Trustee and former governing board president to give my strongest support for the recent complaint filed by the American Federation of Teachers against the Accrediting Commission of Community and Junior Colleges, as well as to request a formal investigation of the Warning Status assigned to Orange Coast College, Golden West College and Coastline Community College of the Coast Community College District in Costa Mesa, California.
During my seventeen years on the Board, I have worked with multiple Accreditation exercises. I’ve followed the issues at San Francisco City College and also those surrounding a recent ACCJC visit to my own District, and have become gravely concerned about how the ACCJC operates and functions. Because of this, I make my request for review and also want to provide background information about our governing board, given that Accreditation Standard IV was used as the basis for the current Warning Status that our colleges received from ACCJC.

I’d like to provide you with some background about some specific matters at Coast Colleges that have taken place leading to the Warning Status. In July 2013, our colleges were placed on Warning Status from the ACCJC given a concern of delegation of authority from our governing board to our CEO, and an issue surrounding several employees that report to our Board.

In 2008, our board had made some significant changes to the governance structure of the District, given very serious instances of repeated wrongdoing that had occurred in our Administration. The Board created a new position, "Secretary of the Board" that would be filled by a District classified manager, hired a general counsel to bring our contracts, land development issues, and board governance process in full compliance with all established laws, and developed Board committees to ensure that all activities of the Board were kept open and transparent.

The Board made many of the changes given serious breaches that occurred in our Administration. Here are a few examples: a former senior executive changed the Minutes of the Board, illegally, to raise his pay. Two Trustees met in secret with a college president to plan and organize the development of a proposed new college campus in Newport Beach, California; a senior executive placed a large consulting contract on our Agenda for "ratification" of employment of a former college colleague knowing he was a convicted felon. In addition, some members of our senior executive team secretly negotiated the development of a Costco Wholesale outlet on one of our college campuses, which eventually was voted down at a contentious public Board meeting attended by over 450 angry residents.

Employment contracts for our educational administrators and all other multi-year management (at least 55 in all) contained a boiler-plate phrase using a deadline of March 15th for possible Board action to non-renew. This date was much too late under the law. Thus, even a non-renewal recommendation from the Chancellor adopted by the Board would be unlawful. This prompted the Board to direct our appointed General Counsel to review and revise all employment contracts to comply with the law. At this same time most of these management employees with written contracts were not evaluated annually for their job performance as required by board policy, creating a work culture of entitlement, instead of being one based on performance. And, the District paid hundreds of thousands of Dollars annually to a law firm whose senior partner was a college roommate and longtime friend of a long time governing board member. Lastly, a
Warning Status notification from ACCJC in 2008, regarding Orange Coast College, was hidden from the governing board by the District’s administration and the Board of Trustees was never advised nor the public given the information.

Given these examples and many others, the Board made changes to our governance structure that helped the Board become more informed and involved in policy matters, but still allowed our CEO and senior executives to run the District. But, since that time, numerous members of our staff and others have complained about "Accreditation" and that our arrangements were in violation of established standards. I know this not to be true.

Our Board President and Clerk have met regularly with the Chancellor, other members of the Senior Management team, and our Secretary of the Board consults regularly with our CEO on a variety of governance issues. The Board has established committees to allow the Board to review issues of Audit, Accreditation, Land Development, Vocational Education, and Legislation with our senior management. And, the Board has worked with our General Counsel to ensure that our processes for contracts, faculty appointments, board meetings, public records requests, faculty advancement and tenure, sexual harassment complaints, and all other areas of our District are in full compliance of the law.

Under these circumstances, I know that multiple inquiries were made by our senior management team, some of whom were very new to the District, to the ACCJC to express concern. And, during our recent Accreditation site visit, a special CEO Representative of the ACCJC was appointed specifically to review our District’s governance issues, something that was highly irregular and very different from our previous Accreditation site visit in 2007, and giving cause for grave concern about the ACCJC’s objectivity in this matter.

I feel that ACCJC’s actions with Coast Colleges, just as with the City College of San Francisco is unjust and that they require investigation. I am especially concerned that so many chief executives are involved in the Accreditation process. Why aren’t more faculty, staff members and trustees involved in this important peer review exercise? Why do community college chief executives have such a dominant relationship with the ACCJC and yet they seem not to ever be selected for Improvement or warning of violations? How can trustees work to reform ACCJC to improve its objectivity, and to change its interpretation of the Accreditation standards it is charged with enforcing to be focused on transparency, compliance with the law, and on continuous self-improvement to accomplish our mission and guarantee student success?

Members of our governing board take this matter very seriously. I will be presenting this letter to our full governing board for review in addition working with my colleagues to also share this complaint with the statewide community college trustee organization.
As a Trustee, maintaining the Accreditation of our three colleges is of highest priority, but I want to ensure that the process is completed in the most honest, open, transparent and legal way. Given what has been happening at San Francisco City College, and now at Coast Colleges, I am very concerned that the ACCJC has lost its way. The students we serve need to be assured that colleges in our community college system, as well as the Accrediting body, are keeping their best interests in mind.

Thank you in advance for your time in reviewing this matter.

Sincerely,

[Signature]

Jerson, Trustee
Coast CC
Retired U. S. Congressman,
California

cc: Honorable Board of Trustees, Coast Community College District
CCCT Board
Dr. Barbara Beno, President, ACCJC
Dr. Andrew Jones, Chancellor, Coast Community College District
Jack P. Lipton, Ph.D.

Excerpt from Board of Trustees Special Meeting Minutes 8/21/2013

4. Discussion of Trustee Patterson's Letter of Support for Complaint Against Accrediting Commission of Community and Junior Colleges and Request for Review of Coast Community Colleges Accreditation Warning Status

At this time, Ms. Ann Nicholson and Mr. Bob Fey addressed the Board regarding Trustee Patterson's letter. After in-depth discussion by the trustees regarding Trustee Patterson's letter, Student Trustee Kelly made a motion that a letter be sent to all the recipients of Trustee Patterson's letter, indicating that Trustee Patterson's views were not the views of the full board. This was seconded by Trustee Hornbuckle. After more discussion, Trustee Moreno made a substitute motion that President Prinsky and Trustee Patterson work together on a response letter. Special Meeting Minutes 8/21/13 Pg 2
Trustee Prinsky called for a motion to substitute Trustee Moreno's motion for the original motion. This was seconded by Trustee Patterson. After further discussion, Trustee Moreno withdrew his motion to substitute and Trustee Patterson withdrew his second. Student Trustee Kelly amended his original motion, which was seconded by Trustee Hornbuckle, authorizing the Board President to write and send a letter to the recipients of Trustee Patterson's August 20th letter of support for complaint against the Accrediting Commission of Community and Junior Colleges, expressing that the letter expressed only the thoughts and opinions of Trustee Patterson, and did not represent the opinions or views of the full Board of Trustees, and to make a public copy available. Ayes: Trustees Prinsky, Hornbuckle, Grant and Student Trustee Kelly Noes: Trustees Patterson and Moreno Absent: None Abstain: None