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TASK FORCE

Vice Chair

March 13, 2014

The Honorable Arne Duncan
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Secretary Duncan:

We are writing to inquire about the U.S. Department of Education's (ED) oversight and enforcement policies of higher education accrediting agencies. Educators and faculty have raised concerns that accreditors are largely self-regulated and seem to act with impunity. Specifically, the Accrediting Commission for Community and Junior Colleges' (ACCJC) conduct has raised concerns regarding not only its practices, but whether sufficient oversight and accountability mechanisms are in place at the federal level to oversee accreditors.

As you are aware, ACCJC, the private Novato-based agency currently has sole accrediting authority for 133 community colleges in California, Hawaii, and the Pacific. It is also the sole accreditor in the U.S. with accrediting authority over only community colleges for a region. It is our understanding that the ACCJC has sanctioned colleges at a rate vastly higher than the other accrediting bodies.

According to researchers at San Mateo Community College District, ACCJC accounted for 89% of all sanctions nationwide from 2003 to 2008, and 64% from June 2011 to June 2012. Additionally, it is also our understanding that one quarter of California community colleges are operating under one of the three levels of sanctions—warning, probation, or show cause.

ACCJC's most recent controversy involves revoking the accreditation of City College of San Francisco (CCSF). Many faculty and educators contend that the audit was fraught with conflict of interest, bias and improper reliance on administrative, financial and governance issues, and far too little on students' academic progress. A preliminary injunction filed by the City Attorney's Office, accusing the ACCJC of wrongdoing, precludes final action on accreditation from being taken, but the damage to CCSF has already been done. Since ACCJC's action, City College's enrollment has dropped sharply, with 17.3 percent fewer students enrolled for this spring's semester compared to last year.

We are aware that in a letter dated August 13, 2013, ED raised concerns with conflicts of interest, the fact that no "deficiencies" about CCSF were identified in 2006, and insufficient faculty representation on accreditation teams. On January 28, 2014, ED informed ACCJC of several deficiencies and provided it 12 months to come into compliance. It is also our understanding that ED

certifies accrediting entities only every five years, and that this is the only opportunity to de-certify an accreditor.

We would like answers to the following questions:

1. What does ED see as its proper oversight role with regards to accreditation?
2. It is our understanding that ACCJC is the only junior college accreditor that only accredits junior colleges. What were the circumstances surrounding your decision to accredit ACCJC and why did you decide to make this exception?
3. Given the concerns raised in third party comments about the makeup of ACCJC's site visit teams, how does ED ensure that accreditors have sufficient standards for faculty inclusion in site visit teams to constitute peer review?
4. Why do regions only have one accreditor? Have you examined the merits of certifying more than one accreditor for each region?
5. Why does ED have the opportunity to de-certify an accreditor only once every five years? If this is a statutory requirement, would it be beneficial for ED to have the opportunity to de-certify an accreditor more frequently?
6. Has ED examined the document requests from different accreditors? If so, is there a large disparity among accreditors in their requests? (I.e. Amount/type of documents requested, etc.)
7. Has ED examined the financial burden of the documentation requests made by accreditors? If so, is there a disparity among accreditors in the financial burden their document requests result in?
8. How do the fees collected among accreditors compare with one another? Are there large disparities in the amount of fees collected?
9. Is there precedence for ED to de-certify an accrediting entity, and if so, when and in what circumstances?

We look forward to your response. If you have any questions please contact Molly Fishman with Congresswoman Speier at Molly.Fishman@mail.house.gov or (202) 225-3532.

All the best,



Jackie Speier
Member of Congress



Janice Hahn
Member of Congress

CC: Brenda Dann-Messier, Acting Assistant Secretary, U.S. Department of Education



Adam Schiff
Member of Congress



Alan Lowenthal
Member of Congress



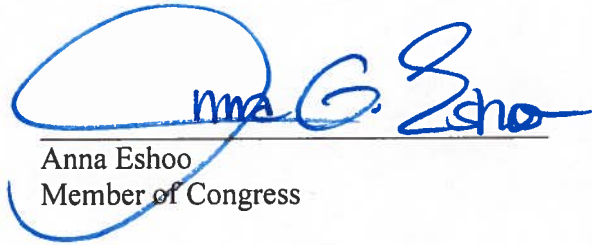
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