

## 1. RATIONALE FOR THE RESOLUTION

**1.1 Background:** The Accrediting Commission for Community and Junior Colleges (ACCJC) is part of the Western Association of Schools and Colleges (WASC). The ACCJC has been responsible for sanctioning 72 of the 112 community colleges in California with the evident intent of downsizing them and narrowing their mission, collectively, to one which serves primarily, or solely, certificate, degree, or transfer students.

The impending closure of City College of San Francisco (CCSF) is the most drastic of the many adverse decisions of the last six years. Only July 3, 2013, the commission, ACCJC, announced that the college would be closed, effective July of 2014. The college serves over 85,000 students—students from immigrant communities, working class students, and people of all ages and abilities who have a wide range of cultural, academic, career, and enrichment interests.

The college is rated in the top quartile of all California community colleges, in a number of metrics such as ESL and remedial education, according to the published “scorecard.” It is above the state average in all categories except remedial math education.

Despite the deep roots in the community, the academic excellence, the contribution of the college to the economic vitality of the city, and the diverse population of students served and courses offered, ACCJC deemed City College of San Francisco unworthy to continue to exist, in its present form.

### **1.2 Foundation Influence in the Accreditation Process:**

ACCJC’s parent organization, Western Association of Schools and Colleges (WASC), received 1.5 million dollars from the Lumina Foundation in 2011 to promote a narrow agenda of so-called “accountability.” The grant was intended to “transform WASC’s accreditation process to assure clearer standards for graduation rates, levels of learning and degree outcomes using the Degree Profile.”

Lumina also granted \$450,000 to ACCJC directly, in August of 2012, to advance the agenda of the Degree Qualifications Profile. “ACCJC” says Lumina, “will [with this generous grant] allow us to expand the ranks of community colleges testing the profile.”

That is to say, Lumina has “paid” for the ACCJC to use the accreditation process to force community colleges to “test” what most educators believe is an unwise “system of profiling” students seeking higher education. This transformation process has arisen largely outside of the usual consultation practices that inform change in public institutions. Further, the many ties that Lumina, and now the accreditation machinery as well, has to for-profit institutions and initiatives should cause academics to scrutinize more closely the nature and intent of this far-reaching transformation.

At the same time the Lumina Foundation has been funding media outlets in order to discredit the work of public colleges in California, and to drive public opinion into an acceptance of this narrowed mission and reduced student capacity. The *Washington Monthly* received \$500,000 in order to “influence” public opinion, and presumably contributed to the article, “America’s Worst Community College,” which identified CCSF as among the worst colleges in the United States. The particular metrics used by *Washington Monthly* in order to come up with this “ranking” have been condemned by the director of the organization that originally collected the base data, CSSE, as warped, misused, and dishonest. Gates Foundation and ALEC also have made substantial inroads into trying to influence public higher education.

**1.3 Link to Privatization:** The downsizing of community colleges drives those surplus students who can afford it, or those forced to incur greater debt, into private, for-profit enterprises. Private programs will be poised to absorb the students forced out of the low-cost community college system, two-tiered pricing structures (defeated twice in the California legislature, but just signed into law in the fall of 2013) will be available for some, and degree and certificate programs dependent, in part, on standardized on-line and other for-profit instructional components, are already making their way into college curricula. The drive to push students into fast-tracked career preparation educational plans, and standardized curricula, will pave the way for a new round of profit taking, that will occur at the expense of poor, working class, and immigrant communities. The narrowed curriculum, standardized largely by the demands of the accrediting agency (which is itself operating at the behest and with the funding of foundations dedicated to creating a new profit center) is a very real danger for the future of language and literature faculty and the students we serve.

**1.4 Urgency:** It is imperative that the MLA take a strong public stand against corporate interference in public education. These manipulations of education policy and accreditation practices will drive many of the most vulnerable students into more expensive, for-profit educational and training programs that will demand higher debt loads and will have less success in student completion and persistence, as recent studies of the for profit sector have demonstrated.

#### **A. CCSF Situation**

1. City Attorney Dennis Herrera Press Release.
2. URL following the CCSF accreditation crisis, updated weekly.

#### **B. Foundations and Accreditation**

1. Lederman, Doug. "Foundations' Newfound Advocacy." *IHE*. April 13, 2012.
2. Hebel, Sara. “Lumina Unveils a National Framework for Measuring Student Learning,” *CHE* January 25, 2011.
3. Kelderman, Eric. “Ideas for Overhauling Accreditation Take Shape,” *CHE* 9/30/13.
4. The history of Lumina, excerpted from the “Herrera Lawsuit,” paragraphs 47--60.

### **C. Reaction of CCSF**

1. Basken, Paul. "Stunned by Accreditor," *CHE* July 7, 2013.

### **D. Academic Record of CCSF**

1. Student success records

### **E. Appendix of complete lawsuit filed by San Francisco attorney, Herrera.**

#### **A. CCSF Situation**

##### **1. (Press release) Herrera sues to block accreditors from shuttering City College of San Francisco**

Dual actions allege conflicts of interest, retaliation by ACCJC; unlawful delegation of public duties by State Board of Governors to unaccountable private agency

SAN FRANCISCO (Aug. 22, 2013) -- City Attorney Dennis Herrera today filed dual legal challenges involving the termination of City College of San Francisco's accreditation, which, if successful, could enjoin private accreditors from shuttering California's largest community college, and require the state governing board charged with evaluating college standards and eligibility for public funding to reassume its legal duties.

Herrera's lawsuit against the Accrediting Commission for Community and Junior Colleges, or ACCJC, alleges that the private agency unlawfully allowed its advocacy and political bias to prejudice its evaluation of college accreditation standards. The ACCJC has been a leading advocate to dramatically reshape the mission of California's community colleges through more restrictive policies focusing on degree completion to the exclusion of additional vocational, remedial and non-credit offerings. The controversial political agenda -- whose proponents include conservative advocacy organizations, for-profit colleges and corporate student lenders -- represents a significant departure from the abiding "open access" mission pursued by San Francisco's Community College District since it was first established, and also repeatedly affirmed by the state legislature. Herrera's civil action alleges that the commission acted to withdraw accreditation "in retaliation for City College having embraced and advocated a different vision for California's community colleges than the ACCJC itself." The complaint filed in San Francisco Superior Court this morning concludes that the accrediting commission's multiple conflicts of interest, improper evaluation process and politically motivated decision-making constitute unfair and unlawful business practices under California law.

In a separate legal action also filed today, Herrera targeted improper actions by the Board of Governors of the California Community Colleges, the public agency charged by statute with overseeing the state's 112 community colleges and 72 community college districts. The legal challenge and rulemaking petition alleges that the state board impermissibly delegated its statutory obligations to set standards and determine eligibility for public funding to a wholly unaccountable private entity in the ACCJC.

"Nothing about the actions I've filed today should distract or delay City College from doing everything in its power to solve the problems threatening its survival," said Herrera. "But neither should these steps tempt accreditors to consider -- for even one moment -- retaliating against City College for legitimate challenges to their conduct and authority under the law."

"The evidence is clear that the ACCJC ignored multiple conflicts of interest, flouted laws, and allowed its political advocacy to color public responsibilities it should frankly never have been given," Herrera continued. "For this, the State Board of Governors is also to blame for unlawfully ceding its public duties to a private entity wholly beyond the reach of public accountability. Though I seek to enjoin the ACCJC from improperly terminating City College's accreditation, the issues raised by both actions go far beyond any single college alone. This accreditation process has exposed bias, institutional flaws and illegalities in the oversight of the nation's largest higher education system. It potentially affects 72 community college districts, 112 community colleges, and more than 2 million students in California. The issues are serious, and they merit rigorous scrutiny."

Herrera's complaint against the ACCJC outlines its extensive financial and political relationships with advocacy organizations and private foundations representing for-profit colleges and powerful student lender interests, with which the ACCJC has in recent years shared a policy agenda to significantly narrow community colleges' longstanding open access mission. The so-called "student success" agenda prioritizes courses "geared toward helping students walk across a stage wearing a cap and gown on graduation day" -- to the detriment of broader educational offerings that include remedial courses to benefit underserved and disadvantaged students, under- and unemployed adults, seniors and disabled students, new parents, immigrants learning English as a second language, and other non-traditional learners.

Over a period of months preceding and during City College of San Francisco's evaluation process for re-accreditation, the college's trustees, faculty and students increasingly found themselves at odds with the ACCJC's aggressive advocacy to push California's community colleges toward a junior college, degree-focused model. Contentious disputes included arguments over recommendations by the "Student Success Task Force" and the "Seymour-Campbell Student Success Act of 2012," or S.B. 1426, which sought to implement several task force recommendations statewide. The controversial state legislation -- strongly supported by ACCJC and opposed just as strongly by advocates from the City College of San Francisco community -- would have limited low-income students' eligibility for fee-waivers to those who identified a specific degree or certificate, and who didn't exceed a "maximum unit cap." Both provisions were later eliminated from the legislation, largely at the urging of open access advocates, including many from the City College community.

Herrera's lawsuit goes on to detail retaliatory actions taken by ACCJC, beginning with its "show cause" sanction on July 2, 2012 through its unexpected decision less than a year later to terminate accreditation for the college of 85,000 students. Several bases for ACCJC's negative findings suspiciously mirror policy conflicts between the ACCJC and the City College community,

including criticisms that the "college has not demonstrated the will to reexamine the scope of the college's mission" and that "there is no process to reduce the scope of programs and services."

The complaint additionally offers evidence of ACCJC's demonstrable double-standard in evaluating City College as compared to its treatment of six other California colleges under identical "show cause" sanctions during the preceding five years. Though several of the sanctioned schools failed to adequately correct their inadequacies, none saw their accreditation terminated. Yet despite ACCJC's own acknowledgement that City College made "significant progress" in addressing accreditors' recommendations, the ACCJC voted in closed session in June to terminate City College of San Francisco's accreditation effective July 31, 2014.

City College had never once been sanctioned previously, Herrera's complaint contends, noting that the ACCJC's retaliatory bias is also evident from the college's educational success by multiple objective standards. City College boasts a remedial progress rate in English as a Second Language, or ESL, of 52.3 percent -- more than double that for California community colleges statewide. Its completion rate of 55.6 percent exceeds the California community college average of 49.2 percent; and its 75.2 percent overall persistence rate (which gauges student matriculation over consecutive semesters) far outpaces the system-wide average of 65.8 percent. Similarly, City College students transferring to the California State University system achieve a notably higher Cal State grade point average than the statewide average for community college transfers -- 3.08 for City College graduates as compared to 3.03 statewide.

**The cases are: *People of the State of California ex rel. Dennis Herrera v. Accrediting Commission for Community and Junior Colleges, et al.*, San Francisco Superior Court No. 13-533693, filed Aug. 22, 2013; and *In re Legal Challenge and Petition for Rulemaking, Before the Board of Governors of California Community Colleges*, filed Aug. 22, 2013.**

2. URL to a [website](http://www.accreditationwatch.com/) dedicated to breaking news on the CCSF accreditation crisis, updated regularly: <http://www.accreditationwatch.com/>

## **B. Foundations and Accreditation**

1. "Foundations' Newfound Advocacy" *IHE* April 13, 2012.

**Doug Lederman**

To many of the policy experts and researchers who work with them, the Bill & Melinda Gates Foundation and the Lumina Foundation have driven more significant (and beneficial) change in five years than American higher education has seen in decades.

To their critics, the two behemoths and a band of collaborating groups and think tanks (call them the "completion mafia") have hijacked the national agenda for higher education and drowned out alternative perspectives.

One doesn't have to fall squarely into one of those camps to acknowledge the extent to which the two foundations have remade the philanthropic landscape in higher education. **A paper to be presented Monday** at the annual meeting of the American Educational Research Association aims to document -- through an admittedly impressionistic mix of data, interviews and other means -- just how thoroughly the two philanthropic giants (and others) have altered both the traditional foundation role in academe and (by extension) the public policy discussion about higher education.

While the generally evenhanded paper acknowledges that the foundations' approach has accomplished a great deal, it cites significant concerns about what may be lost in the process. At its core, argue the authors Cassie Hall and Scott L. Thomas, Gates and Lumina "have taken up a set of methods -- strategic grant-making, public policy advocacy, the funding of intermediaries, and collaboration with government -- that illustrate their direct and unapologetic desire to influence policy and practice in numerous higher education arenas."

### **Imprint on Education**

The dramatic shift in how major foundations work in education has been much noted at the K-12 level, but it is **relatively little discussed in higher education** -- arguably because so many of the analysts, scholars and campus officials who might typically weigh in on the subject benefit from the two foundations' largesse in one way or another and may be reluctant to bite the hand that feeds them.

But as Hall pursued her graduate work in higher education at Claremont Graduate University (where she worked with Thomas, **a professor and associate dean** there), she was struck by how many of the news articles she read about state and federal policy in higher education mentioned the role of foundations -- and how few of the textbooks and journal articles she read did so. "It seemed like there was some kind of shift going on, and that the scholarly study hadn't caught up to it yet," she said in an interview.

So with Thomas's help, she focused her master's thesis on documenting whether the role of foundations was changing toward an "advocacy" model, as the rhetoric (of fans and critics alike) suggested. Hall began with the hopes of undertaking a fully empirical study, exploring trends in grant-making and other data, but soon concluded that numbers weren't going to tell the story. "So much of what felt different about it was not just how much [the foundations] were spending and on what, but on how it was being done," she said.

The study includes instructive data on the foundations' spending patterns over time, which show shifts toward student success and productivity (in Lumina's case) and public policy advocacy and

postsecondary education (for Gates). But the strongest evidence of a new approach to higher ed philanthropy comes in the lists of think tanks and other "intermediaries" the funds support, interviews with higher education policy makers -- and the words of the foundation officials themselves.

Hall, now an assistant director of admissions at Scripps College, and Thomas trace what they describe as essentially a consolidation of the center of gravity within higher education philanthropy through the decade of the 2000s, with the disappearance or receding in the field of several longtime players (such as the Pew Charitable Trusts and the W.K. Kellogg Foundation) and the emergence as "megafoundations" of Gates (formed with money from the Microsoft founder, reinforced with a major infusion by Warren Buffett) and Lumina (formed in 2000 with the proceeds from a major student loan guarantor).

The scholars' analysis of Gates's and Lumina's grant-making suggests a shift toward and away from certain topics -- "toward issues of completion, productivity, metrics and efficiency," though foundation officials challenge the paper's assertion that they have moved away from the issues of access and community colleges that dominated their early grant-making.

**Gates' and Lumina's behavior "reflects a deviation from the established norms in higher education philanthropy, norms that generally created a distance between foundation activity and politics." --Cassie Hall and Scott L. Thomas**

But the unmistakable shift that the two foundations have led in higher education grant-making, Hall and Thomas argue, has been away from giving to institutions and toward closely collaborating with state and federal policy makers and a series of "intermediaries" (nonprofit groups created with the foundations' funds, think tanks, consultants, etc.) who are interested in carrying out the philanthropies' agenda.

The foundations back consultants who work to enact new state policies on such things as performance-based funding, and there has been significant crossover of Gates officials, particularly, into the Obama administration. They have also provided significant financial support to K-12 and higher education media organizations (individual publications and groups) aimed at encouraging reporting on the issues they care about. (*Inside Higher Ed* has not engaged in any such partnerships.)

The change has been driven, the paper says, by "an increasing level of distrust that higher education institutions can successfully enact reforms that will result in meaningful changes to our postsecondary system."

Hoping to drive broader-scale changes than can be accomplished by seeding many ideas at individual institutions, the foundations have turned instead to the "unabashed use of ... strategies to influence government action, policy, and legislation -- in their own words, foundations are

taking on a leadership role, acting as a catalyst for change, identifying research areas, supporting best practices, engaging in public policy advocacy, enhancing communications power, using convening power, fostering partnerships, building public will, and employing the bully pulpit.”

They add: “This behavior reflects a deviation from the established norms in higher education philanthropy, norms that generally created a distance between foundation activity and politics.” The scholars need not engage in tea-leaf reading to discern this shift; the leaders of the foundation have been transparent about their goals to engage in what the authors call “advocacy philanthropy.”

“Clearly, interacting with policy makers at both the state and federal level is a key element of this grant-making strategy. I think what we came to realize fairly quickly was that the Lumina Foundation had an opportunity to be a catalyst -- to be a leadership organization that could provide national leadership on these issues of access and success in higher education,” Jamie Merisotis, Lumina’s president since 2006, said in 2010. “So as a foundation, we not only make grants to support programs that will improve success in colleges and universities, but we’re also participating actively in advancing public policy that will lead to our goals and we are committed to contributing to the public will.... So I think it’s very important to recognize that Lumina sees that unique capacity that it has as having dimensions that take us well beyond the traditional grant-making role.”

"We will use our voice -- and encourage others to do the same -- to raise awareness about the urgency of our goal and building support for the policy and financial commitments needed to achieve it," Hilary Pennington, who led the Gates education arm from 2007 until last month, said in a November 2008 speech cited by the authors. "We will support research to identify the best policy approaches and the best institutional practices to accelerate completion, and we will leverage that information, sharing what we learn with key decision makers throughout the nation. Our foundation has a strong and persuasive voice, and we will join you in advocating for policy changes and investments proven to get results.”

### **The Pros and Cons**

The foundations’ “advocacy” approach has produced several major benefits, the paper’s authors aver. Its work has drawn the attention of a disparate group of actors and focused them in collaborative work toward some important goals; their overarching objective of increasing postsecondary attainment (especially for low-income Americans) is arguably the closest thing to a national higher education strategy the country has had since the G.I. Bill and the post-Sputnik era. And by working at the state and federal policy level, instead of at the institutional level as previous generations of higher education philanthropies typically did, Gates and Lumina have been able to attack problems at a scale not otherwise possible.

As one of the authors’ anonymous interviewees (a higher education policy expert) put it, “[T]hese things are indeed the way you have to go if you want to get the objective of more

students through college — you have to change practice and policy and you have to change it all at the same time in a messy, directed way, and you have to be very intentional about it. And I think anybody objectively looking at the data would come to that conclusion.”

The approach raises concerns, too, though, Hall and Thomas assert. Some of them are particularly of note to higher ed researchers like the authors, such as that the relatively narrow focus of Gates and Lumina (which other foundations have embraced to some degree) have redirected money from other kinds of postsecondary research (and on other topics) that individual scholars might have sought funds for in the past.

More broadly, Hall and Thomas channel fears that the consensus that Gates and Lumina have built through their common agenda-setting (in league with federal and state officials) and their comparatively massive, widely distributed dollars (to a cottage industry of “intermediaries”) has given them “outsized influence” and squelched alternative points of view.

“When you think you have all the answers, you exclude so many great ideas out there,” the authors quote one higher education policy expert as saying. “The standardization and narrowness of their agenda means that ideas have to fit into narrow boxes, at the expense of some other really great ideas.” Another added: “There are an awful lot of ideas that could be out there that never see the light of day now because the competitions of ‘tell us how you would tackle this problem’ and those sort of wide-open invitations to send in proposals just are not there. There may be some really good ideas that do not see the light of day anymore, because the ideas in many ways are becoming the purview of the foundation staffs and whoever they bring in or not. So it is being controlled by groupthink more than it used to be.”

This differs from how most higher ed-focused philanthropies operated in the past. “This person claimed that in the past foundations might have desired the same level of reform, but they approached their grant-making very differently -- ‘they announced their interests and then opened the doors for institutions and organizations to propose activities consistent with that agenda.... Now they have an agenda but they also have strategies that they are interested in playing out to pursue that agenda. They are identifying organizations to conduct them, in a different process than has historically happened.’ ”

The authors also cite the discomfort that some people in higher education feel about the foundations wielding such power in influencing public policy with comparatively little oversight and external accountability.

"I think it's very important to recognize that Lumina sees that unique capacity that it has as having dimensions that take us well beyond the traditional grant-making role."-*Jamie Merisotis, Lumina's president*

“The [foundations’] explicit step into the policy agenda, through the wielding of consequential amounts of money, seems somewhat undemocratic to me,” Thomas said in an interview. “They have come together to force a point of view in a way that involves federal and state policy domains, and that’s very uncomfortable for me. I can’t argue with their agenda too much – I’ve been working on many of these same issues my whole career – but how they’re doing it concerns me.”

Thomas speculated that the foundations may be getting a pass from would-be critics in part because their agenda of college access and success is one that many academics support. “There’s an element of, ‘the dictatorship is wonderful as long as I’m in favor of the dictator,’” he said. “If it were a cause I disagreed with, it would probably trouble a lot of us more.”

One doesn’t have to look far for an example in higher education right now, given the uproar over the influence of the [Charles G. Koch Charitable Foundation](#) and [other right-leaning groups](#) and philanthropies.

### **The Foundations Respond**

Given how the study is filled with quotations from leaders of Gates and Lumina that largely reinforce the authors’ assertions about the foundations’ strategies, it would be hard for them to take significant issue with the paper. And indeed, Merisotis of Lumina, in an interview, described it as a “thoughtful treatment” of the sort that the foundation welcomes, since we “acknowledge that we’re learning as we go, so this kind of analysis helps.” (Gates declined to comment.)

Merisotis did quibble with some of the authors’ points. While conceding that Lumina’s “advocacy” approach may differ from how other higher education foundations have behaved in the past, he compared its work to the Ford Foundation’s advocacy for civil rights in the 1960s, when it “tried to build public will, inform and influence public policy, and worked with a diverse set of actors in the field,” he said. Lumina has also used as a more current model the work of the Robert Wood Johnson Foundation, which has injected itself deeply into efforts to pass anti-smoking laws and tobacco taxes, among other policy efforts.

Merisotis also challenged the notion that Lumina has largely abandoned its efforts to expand access to higher education for low-income and other underrepresented students in favor of a focus on having students complete college.

Yes, the foundation cares about completion, but its emphasis is on increasing college *attainment*, which means both expanding the number of people getting access to college and enhancing their chances of success once there. “Attainment is participation times completion, and the idea that we’ve let up on the accelerator on access is not accurate,” he said.

At the core, though, Merisotis does not dispute the scholars’ view that his (and perhaps other) foundations are approaching philanthropy differently and in a way that may make some in academe uncomfortable.

“We’ve shifted from being a very good grant-making organization to a leadership organization,” he said, “and all we can do is be transparent about what we’re trying to achieve and let people decide how we’ve done.”

Read more: <http://www.insidehighered.com/news/2012/04/13/study-assesses-how-megafoundations-have-changed-role-higher-ed-philanthropy#ixzz2kN2AQIkc>

2. “Lumina Unveils a National Framework for Measuring Student Learning” *CHE*. January 25, 2011  
Sara Hebel

National conversations about the quality of higher education, as well as efforts to measure what students learn in their college careers, could be aided by developing a common understanding of what degrees mean in the United States, officials at the Lumina Foundation for Education say.

To that end, the foundation released today a suggested framework for defining the knowledge and skills students need to acquire before earning an associate degree, a bachelor's degree, and a master's degree. Lumina's framework, which it is calling the Degree Qualifications Profile, spells out reference points for what students should be learning and demonstrating at each degree level in five areas: broad, integrative knowledge; specialized knowledge; intellectual skills; applied learning; and civic learning.

Lumina officials say the degree profile is intended to help define generally what college graduates should know and be able to do, regardless of their majors or fields of study. The authors of the framework, though, were specific about how students should be able to apply what they learn, providing clear outcomes that can be measured. Under the umbrella of "intellectual skills," for instance, the document says that students should show fluency in communication. At the bachelor's level, that includes being able to "conduct an inquiry" in a language other than English with a non-English-language source.

Colleges and faculty members in individual disciplines could then add to the general framework, identifying additional outcomes specific to the college's mission and to particular fields of study. Lumina says it now plans to test and refine the framework, experimenting with it in a variety of settings.

### **Tests of the Concept**

Two regional accreditors of higher education, the Western Association of Schools and Colleges and the North Central Association of Colleges and Schools' Higher Learning Commission, and a private-college association, the Council of Independent Colleges, have already agreed to test Lumina's proposed framework. Lumina says it expects to add more partners in coming months and to award grants to support testing of the framework.

The Western association, which accredits about 160 four-year colleges, plans to build the degree reference points into its handbook for institutions' accreditation reviews, Lumina said. The accreditor will use the degree profile to help outline what colleges should be demonstrating about student learning.

**The Higher Learning Commission has offered to test the Lumina framework with a small group of institutions that are coming up for reaccreditation and are willing to try an alternative process for evaluation.**

Sylvia Manning, the commission's president, said the cohort of colleges that agreed to the approach would take Lumina's degree framework and apply it to their programs. They would use the degree profile as a basis for their self-evaluation and for developing plans for improvement.

If it works right, Ms. Manning said, the institutions would learn a lot about how to move themselves forward, and Lumina would get feedback about how well the framework applies to varied types of institutions. The Higher Learning Commission will also be able to evaluate whether the framework could become an effective mechanism for quality assurance and be used more broadly.

"This is a wonderful opportunity to try something that has great potential," Ms. Manning said.

The Council of Independent Colleges, meanwhile, will also seek volunteers among its member institutions to test the feasibility of the Lumina framework on individual campuses and how it might be used to improve quality. Richard Ekman, president of the council, said the group hopes to select 25 colleges of various sizes and missions to experiment with the framework over a two-year period.

He has a number of questions about how well the degree profile will work, including how readily it will apply in liberal-arts fields and how meaningfully campuses will be able to improve upon a broad learning objective like civic learning. But he believes the Lumina framework is worth testing as a tool for prompting colleges to improve quality.

"A lot of this is pretty mushy stuff," he says. "We hope to thrash out what individual colleges can apply."

### **Architecture for Conversation on Quality**

For Lumina, grappling with the question of what a degree signifies has become an important part of the foundation's broader effort to increase the proportion of college graduates in the United States. The foundation has focused its grant-making around a goal of getting 60 percent of Americans to hold "high quality" postsecondary degrees or credentials by 2025, a goal similar to President Obama's. About 39 percent of U.S. residents hold associate degrees or higher, a level at which the country has been stuck for four decades.

"We're interested in really putting our hands on what quality means," says Jamie P. Merisotis, president of Lumina. The degree profile, he said, "will provide some of the architecture for that conversation."

The degree profile is being unveiled a week after the release of the new book *Academically Adrift: Limited Learning on College Campuses*, which presents a dim view of the rigor of undergraduate education. The book, which was based on a study supported by Lumina, found that more than a third of American college seniors are no better at crucial types of writing and reasoning tasks than they were in their first semester of college.

Clifford Adelman, a senior associate at the Institute for Higher Education Policy and a co-author of the Lumina degree profile, says the framework has the potential to transform the national conversations about accountability and quality.

"If higher education runs away from this," Mr. Adelman says, colleges "will continue to be criticized that their degrees are meaningless." Now, degrees are awarded when a student amasses enough credits and achieves a minimum grade-point average, he says, but the framework proposes a definition that guarantees that students gain at least a minimal, and measurable, level of knowledge and skills in the process.

This approach to accountability, Mr. Adelman adds, is also different from much current practice in that it measures quality by what a student can do, rather than by what an institution can show about its record.

In fact, Lumina officials say their framework could provide a useful road map for students as they plan their course of study. The foundation suggests that colleges could ask students to sign a "student learning agreement," acknowledging that they have read and understand the learning outcomes for the degree they seek, and pledging to commit themselves to qualify for the degree.

"Students who understand the purpose of the courses they take usually learn more effectively," reads the introduction to the Lumina framework. "Therefore, the Degree Profile seeks to create a transparent and intentional environment to guide their learning."

### *3. Chronicle of Higher Education*

September 30, 2013

#### **Ideas for Overhauling Accreditation Take Shape as Reauthorization Talk Begins**

By Eric Kelderman

Washington

A new report from a former president of the University of Colorado has set the stage for a vigorous debate on the future of higher-education accreditation. That topic could be a central focus of Congress as it takes up the reauthorization of the federal Higher Education Act.

George H. (Hank) Brown, who is also a former Republican U.S. senator from Colorado, released [his report](#) on Monday, laying out what are essentially the conservative arguments against the current system of regional and national accreditation, which serves as one of the gatekeepers to federal student aid.

"The government's approach to quality assurance and consumer protection is a public policy and regulatory failure by almost any measure," Mr. Brown writes in the opening sentence of the report, which goes on to ascribe a lengthy list of shortcomings to the current system, including low graduation rates, soaring rates of student-loan debt and default, and a general stifling of innovation and autonomy in higher education.

Mr. Brown is also the head of the Accreditation Reform Initiative of the American Council of Trustees and Alumni, and the report was published by the American Enterprise Institute, where Mr. Brown is

scheduled to participate on Monday afternoon on a four-member panel discussing possible reforms for the nation's accreditation system.

Not only do accreditors fail to safeguard the federal investment in higher education, but they are also poor guardians of academic quality, Mr. Brown argues in the report. "Many accredited public and nonprofit colleges and universities across the country fail even basic tests of quality yet remain accredited," he writes. "The evidence of their failure is writ large in the media, in scholarly studies, and in major federal surveys."

### Arguing for an Overhaul

Mr. Brown recommends several measures to reform the accreditation system, many of which have been proposed during previous reauthorization debates, including severing the link between accreditation and federal financial aid; requiring colleges to disclose data on student learning, debt, and postgraduation incomes; and streamlining the process for colleges that voluntarily disclose that and other information.

In addition, Mr. Brown says, new kinds of accrediting organizations should be allowed and encouraged to form to better serve the diverse missions of the nation's colleges.

Mr. Brown will not be alone on the panel arguing for an overhaul of the existing accreditation system. Arthur J. Rothkopf, president emeritus of Lafayette College, has also been an outspoken critic of the system during his service on the federally appointed organization that recommends federal recognition for the nation's accrediting bodies, known as the National Advisory Committee on Institutional Quality and Integrity.

The advisory committee has already issued its own set of recommendations for reforming accreditation, which fall short of a major overhaul.

Another education-reform advocate, Amy Laitinen, deputy director for higher education at the New America Foundation, has been at the forefront of helping colleges and the U.S. Education Department move toward acceptance of competency-based education, which allows students to progress at their own pace by mastering measured "competencies" rather than spending a fixed amount of time in class.

On the side of the accreditors will be Judith S. Eaton, president of the Council for Higher Education Accreditation, which represents some 3,000 accredited colleges and recognizes 60 accrediting organizations. While acknowledging that accreditation must change in some ways, the council has generally advocated for preserving many current practices, especially the peer-review process that places the review of institutions in the hands of fellow academics.

4. The history of Lumina, excerpted from the "Herrera Lawsuit," paragraphs 47--60.

[The lawsuit excerpt appears on pages 15 through 19, below.]

1 45. Recently, however, political rhetoric and policy priorities have shifted away from open  
2 access and toward a narrow definition of “success” focused exclusively on students who will earn a  
3 college degree or certificate.

4 46. This shift toward the “Student Success” agenda has been accompanied by a call to  
5 realign public funding and priorities to focus on degree completion as the primary mission of  
6 institutions of higher education, to the detriment of programs that serve students who, for a variety of  
7 reasons, are less likely to graduate quickly with a certificate or degree. Such students include those  
8 needing remedial education, those who need to work to support themselves while in college, and those  
9 who are raising children while attending college, as well as non-degree seeking students such as  
10 English language learners and other adults who seek to improve existing skills or learn new ones.

11 47. That call to focus public resources primarily on degree completion has been answered  
12 by state legislatures across the country and by several large foundations including the Lumina  
13 Foundation for Education (“Lumina”).

14 48. Lumina is a private foundation that was created in 2000 as the outgrowth of an asset  
15 sale from USA Group, Inc. to SLM, Inc. (“Sallie Mae”).

16 49. USA Group, a tax exempt non-profit entity, was the parent company of USA Funds, the  
17 nation’s largest private guarantor and administrator of student loans. In the 1990s, USA Group was  
18 criticized by federal regulators and some members of Congress for the pay it gave to executives (its  
19 president’s compensation totaled \$1.1 million in 1996) and for the profits it was making from the  
20 student loan business. David Folkenflik, *President of student loan guarantor placed on leave Head of*  
21 *USA Group was convicted of misdemeanor* (March 6, 1997); David Folkenflik, *Student loans generate*  
22 *profits Middlemen provide guarantees, chase after defaulters* (March 2, 1997). In 1999, the company  
23 had revenues of \$458.1 million and excess of revenues over expenses of \$150.6 million. PR  
24 Newswire: *Sallie Mae Completes USA Group Transaction; New Executives and Board Members*  
25 *Named* (July 31, 2000). Concerned that the government might challenge continuation of its tax  
26 exempt status, USA Group developed a strategy to sell its operating assets to another entity. Lumina  
27 Foundation, *From the Ground Up* at 5. In 2000, that strategy came to fruition with USA Group selling  
28

1 most of its operating assets to Sallie Mae, a publicly traded U.S. corporation which, at the time, owned  
2 and managed student loans for 5.3 million borrowers. *Id.* at 3.

3 50. The proceeds from the sale, totaling \$770 million, were directed to the newly formed  
4 USA Group Foundation, which was renamed the Lumina Foundation in early 2001. Most of USA  
5 Group's board members stayed with the foundation, and they were joined by four previous members  
6 of the Student Loan Marketing Association, a Sallie Mae subsidiary. *Id.* at 4.

7 51. Through today, several members of Lumina's Board have ties to the student loan or for-  
8 profit-college industry, including a former President and Chief Operating Officer of Sallie Mae and a  
9 former president (now President Emeritus) of the University of Phoenix.

10 52. Lumina's stated mission is to increase the proportion of Americans with high-quality  
11 college degrees, certificates and credentials nationwide to 60 percent by 2025. Theoretically, this  
12 mission could be met through public and non-profit colleges as well as private for-profit colleges.  
13 However, Lumina has funded programs that call for public community colleges to narrow their  
14 offerings and focus on degree completion. Notably, when community colleges shrink their  
15 programs—to, for example, focus exclusively on those students most likely to proceed quickly toward  
16 degree completion—there is a correlating spike in for-profit college enrollment. *See* Tyler Kingkade,  
17 *Community College Funding Shrinks, For-Profit Enrollment Crows: Treasury Report*, Huffington Post  
18 (Dec. 26, 2012), available at [http://www.huffingtonpost.com/2012/12/26/community-college-for-](http://www.huffingtonpost.com/2012/12/26/community-college-for-profit_n_2340958.html)  
19 [profit\\_n\\_2340958.html](http://www.huffingtonpost.com/2012/12/26/community-college-for-profit_n_2340958.html) (last visited Aug. 17, 2013).

20 53. Put simply, contracting community colleges, like City College, pushes students into  
21 for-profit colleges and forces them to incur significant debt—to the benefit of for-profit colleges and  
22 private lending institutions like Sallie Mae, which posted a 2012 profit of \$939 million. Sallie Mae  
23 New Release, *Sallie Mae Reports Fourth-Quarter and Full-Year 2012 Financial Results* (Jan. 16,  
24 2013).

25 54. This is not surprising since low-income and first-generation student populations—who  
26 are more likely to attend a community college, and to need the non-traditional pathways offered by  
27 community colleges—are also the prime target of for-profit colleges' marketing and recruitment  
28 efforts. *See, e.g.,* Chris Kirkham, *For-Profit College Recruiters Taught To Use 'Pain,' 'Fear,'*

1 *Internal Documents Show*, Huffington Post (Feb. 8, 2011). available at [http://www.huffingtonpost.com](http://www.huffingtonpost.com/2011/02/08/for-profit-college-recruiters-documents_n_820337.html)  
2 [/2011/02/08/for-profit-college-recruiters-documents\\_n\\_820337.html](http://www.huffingtonpost.com/2011/02/08/for-profit-college-recruiters-documents_n_820337.html) (last visited Aug. 17, 2013).

3 Such students often lack awareness of the different college options available and the knowledge and  
4 support needed to evaluate those options. Training documents from several for-profit colleges, which  
5 were obtained by a Senate oversight committee, illustrate that recruiters at for-profit colleges are  
6 encouraged to increase enrollment by “focusing on emotions such as ‘pain’ and ‘fear’ to attract low-  
7 income students who are struggling with adverse personal and financial circumstances.” *Id.* Indeed, a  
8 recent report by the U.S. Departments of Treasury and Education found that “[c]ommunity colleges  
9 are more likely to serve low-income and first-generation student populations than four-year schools,  
10 and these students now constitute the bulk of the student population at for-profit schools.” U.S.  
11 Department of the Treasury & U.S. Department of Education, *The Economics of Higher Education* 23  
12 (Dec. 2012).

13 55. Moreover, associate degree and certificate programs at for-profit colleges average *four*  
14 *times* the cost of such programs at comparable community colleges. U.S. Senate Health, Education,  
15 Labor and Pensions Committee, *For Profit Higher Education: The Failure to Safeguard the Federal*  
16 *Investment and Ensure Student Success* 3 (July 30, 2012) (hereafter, “Senate HELP Report”).

17 Accordingly, students at for-profit colleges are far more likely to take out private student loans. A  
18 recent report by the Consumer Financial Protection Bureau found that 42% of students attending 2-  
19 year for-profit institutions were forced to take out private student loans to cover the cost of their  
20 education—versus only 5% of students at public 2-year institutions. Consumer Financial Protection  
21 Bureau, *Private Student Loans* 37 (Aug. 29, 2012).

22 56. Nor are for-profit colleges more likely to ensure that students graduate than community  
23 colleges or that they graduate more quickly. On the contrary, these colleges have a history of  
24 extraordinary student turnover and dropout rates. More than half a million students who enrolled in a  
25 for-profit college in 2008-2009 left without a degree or Certificate by mid-2010. Among 2-year  
26 Associate degree-seekers, 63 percent of students departed without a degree. Moreover, the “vast  
27 majority” of students left with substantial student loan debt that “may follow them throughout their  
28

1 lives, and can create a financial burden that is extremely difficult, and sometimes impossible, to  
2 escape.” Senate HELP Report at 2.

3 57. The for-profit model is not hurt by loss of students, since such schools receive the  
4 tuition funds (often covered by student loans) whether or not a student finishes a semester. So long as  
5 the school is able to attract a continued flow of students, turnover causes no harm to a for-profit  
6 college’s bottom line. Despite the abysmal record of for-profit colleges in achieving true success for  
7 their students, the “Student Success” agenda touted by Lumina and others focuses on contracting  
8 community colleges and limiting their mission, leaving for-profit colleges free to churn student  
9 populations and leave the majority of their students without meaningful educational advancement but  
10 nonetheless deeply in debt.

11 58. Lumina’s dedication to the “Student Success” agenda—with its accompanying  
12 significant benefits to for-profit schools and the private student loan industry—is reflected in Lumina’s  
13 grant history. In 2010, 58.8 percent of its grants (\$25,654,300) were in the area of so-called “student  
14 success.” Cassie Hall and Scott L. Thomas, *Advocacy Philanthropy and the Public Policy Agenda:  
15 The Role of Modern Foundations in American Higher Education* (April 2012). Lumina defines  
16 success as a significant increase in higher education attainment rates—*i.e.*, in the number of students  
17 completing post-secondary certificates, associate and baccalaureate degrees and credentials. *See*  
18 “Success” on Lumina Foundation Website, available at  
19 [http://www.luminafoundation.org/goal\\_2025/outcomes/success.html](http://www.luminafoundation.org/goal_2025/outcomes/success.html) (last visited Aug. 17, 2013);  
20 “Grants” on Lumina Foundation Website, available at <http://www.luminafoundation.org/grants.html>  
21 (last visited Aug. 17, 2013). The flip side of this “Student Success” agenda is the reduction of funding  
22 for, and elimination of, programs that serve those less likely to graduate with a degree in the minimum  
23 amount of time, such as non degree seeking students, nontraditional students, students who need  
24 remedial coursework and students who must work or raise children while attending college.

25 59. Between 2008 and 2011, Lumina also provided significant financial support to the  
26 American Legislative Exchange Council (“ALEC”), a voluntary membership association that “works  
27 to advance the fundamental principles of free-market enterprise, limited government, and federalism at  
28

1 the state level.” *About ALEC*, available at <http://www.alec.org/about-alec/> (last visited Aug. 17,  
2 2012).

3 60. In addition to Lumina, ALEC has received support from many businesses and  
4 foundations including Exxon Mobil, Chevron, Shell, Texaco, Phillip Morris, R.J. Reynolds, the  
5 Charles G. Koch Charitable Foundation, the National Rifle Association, Family Research Council and  
6 the Heritage Foundation. Among other things, ALEC advocates privatizing public schools (Julie  
7 Underwood and Julie F. Mead, *A Smart ALEC Threatens Public Education*, Education Week (Feb. 29,  
8 2012)) and withdrawing public support and privatizing the funding of public colleges and universities  
9 (ALEC, *Ten Questions State Legislators Should Ask About Higher Education* 13 (2011)). ALEC’s  
10 model legislation promotes private-sector colleges (ALEC Model Legislation: Resolution in Support  
11 of Private Sector Colleges and Universities), while decrying the claimed failures of public colleges  
12 (ALEC Model Legislation: Resolution Supporting Quality Higher Education<sup>1</sup>), and advocating for  
13 restrictions on public college funding based on such claimed failures (ALEC Model Legislation: The  
14 College Funding Accountability Act). Upon information and belief, at least 139 bills or state budget  
15 provisions reflecting ALEC education “model legislation” that promote a private, for-profit education  
16 model were introduced in 43 states and the District of Columbia in the first six months of 2013.

17 ***The Fight Over The Student Success Task Force Recommendations***

18 61. In January 2011, the BOG appointed 21 individuals to serve on a Student Success Task  
19 Force (“SSTF” or “Task Force”). The Task Force was charged with examining strategies and  
20 developing recommendations for promoting student success. It was evident from its inception that the  
21 Task Force’s goals and vision were aligned with Lumina’s narrow vision of “student success.” In a  
22 press release issued on January 18, 2011, Task Force chair and BOG member Peter MacDougall was  
23 quoted as stating that “[t]he only possible way for improving graduation rates is to realign funding  
24 priorities to coincide with academic performance. Courses and programs geared toward helping  
25 students walk across a stage wearing a cap and gown on graduation day must be our first priority.”  
26

27 \_\_\_\_\_  
28 <sup>1</sup> ALEC’s model legislation is available on its website at <http://www.alec.org/model-legislation/> (last visited Aug. 20, 2013).

### C. Reaction

Basken, Paul. July 7, 2013 *CHE* "Stunned by Accrerator, City College of San Francisco Suddenly Faces Hard Choices"

The City College of San Francisco has been told that its accreditation will be withdrawn in July 2014. The California Community Colleges system plans to appeal the decision, but options for regaining accreditation pose challenges of their own.

For the past year, the City College of San Francisco worked hard to meet accreditation rules—cutting its staff, retooling its management, and winning critical new taxpayer support. A core part of its community, the institution appeared to many to have done just enough to save its life.

Instead, last week the Accrediting Commission for Community and Junior Colleges [slammed the door](#), saying the college simply isn't making ends meet and declaring the end of its accreditation as of July 2014.

The federally recognized [accrediting agency's decision](#) was unexpected and "outrageous," said Alisa Messer, president of the American Federation of Teachers Local 2121, which represents City College faculty members. That's because the City College was making progress on governance and budgetary issues, all while showing no signs of poor or declining student performance, Ms. Messer said.

But the financial issues—the college is projected to be losing money by the 2014-15 academic year, even with new infusions of state and local tax revenue—apparently loomed too large for the accreditor to ignore.

The president of the accrediting agency, Barbara A. Beno, said in a [letter](#) announcing its decision that the City College "and many of its staff have worked very hard to move the institution forward." Still, Ms. Beno said, the college "would need more time and more cohesive institutionwide effort" to meet accrediting standards.

The decision leaves the college, its 85,000 students, its 2,600 faculty and staff members, and their surrounding city and state in a sudden and difficult bind. Regaining accreditation on its own through appeals or further reform looms as a long shot. Merging with an accredited institution is fraught with improbabilities. And the college appears to be too large to just shut down entirely.

#### RELATED CONTENT

- [City College of San Francisco Is Told It Will Lose Accreditation in 2014](#)

The first step was announced on Wednesday, right after the accreditor's decision was revealed, when the California Community Colleges system outlined plans to appeal the decision, and to appoint a new and more powerful trustee to run the institution.

"A bold plan of action is needed to rescue City College," said San Francisco's mayor, Edwin M. Lee, backing the state's response.

In the longer term, however, the choices get less clear. Operating without accreditation is not an option. Accreditation is necessary for students to remain eligible for federal student-loan and grant

money, and for academic credits they have earned to transfer to other institutions. And seeking recognition from another accrediting agency is forbidden by state and federal rules.

#### 'San Francisco Values'

In the only similar instance in state history, Compton Community College was absorbed into El Camino College after Compton [lost its accreditation](#) in 2005. The City College does have some candidates among neighboring community colleges, but none of a comparable size, making such an acquisition risky for the accreditation and survival of any institutions that might attempt it.

Another option could be a "creative alliance" with a different type of institution, such as a state college or even a private college, said Robert M. Shireman, director of California Competes, a nonprofit group of business and civic leaders.

A first step, however, regardless of who or what ends up running the City College of San Francisco, may have to involve some major bridge building. As Ms. Beno's agency made clear, the financial troubles have a story behind them: The City College has a diverse but ultimately unwieldy governance structure, in which faculty members play an unusually powerful role, according to the accrediting agency.

With the power of their shared-governance system, faculty members helped ensure their priorities as the City College coped with sharp reductions in state financial assistance during the recession. In particular, said Ms. Messer, an English instructor, the institution put a priority on cuts "outside the classroom."

Such decisions included protecting an abundance of noncredit courses, which employ faculty members but generate less revenue, said Raymond R. White, an instructor in biology at the City College who is critical of the union.

Ms. Messer said the college's choices "were not typical of the other" California community colleges. "They were a reflection of our 'San Francisco values.'"

But those haven't proved to be the values of the Accrediting Commission for Community and Junior Colleges, part of the Western Association of Schools and Colleges. In announcing its decision last week, the commission cited a "lack of financial accountability, as well as institutional deficiencies in the area of leadership and governance," as the main reasons for its decision.

Mr. Shireman, a former top official in the U.S. Education Department, said the City College's broad course catalog in part reflects its unusual role as a designated provider of adult education in San Francisco, a function handled in most cities by the elementary and secondary schools.

But over all, he said, the union has been part of a [divisive leadership structure](#) at City College, in which faculty members have been overly fearful of community colleges' focusing too tightly on job training. Some faculty members have suggested that is Ms. Beno's real agenda, with the commission part of a conservative strategy to narrow the mission of publicly financed education.

A key grievance, in that regard, was Ms. Beno's public support of a [new California law](#)—opposed by City College faculty members—that sets conditions favoring more-traditional students who either transfer to a four-year college or get vocational training.

The City College educates students from a wide range of backgrounds, including prison and violent homes, and society benefits from their educational successes, said Wendy S. Kaufmyn, an engineering instructor at the college.

"A lot of our students don't fit that narrow path, that narrow definition of what a lot of people think students are," Ms. Kaufmyn said, referring to the California law backed by Ms. Beno.

But the pursuit of such wider missions, Mr. Shireman said, needs to be properly financed. "There are broader discussions about the extent to which community colleges can do just whatever they want whenever they want, with taxpayer money, versus having some method of prioritizing what to fund and what not to fund," he said.

### Student Achievements

On educational achievement, City College leaders cite state data showing that their students perform better than the California Community Colleges system's averages in important categories, including retention and graduation rates. The degree completion rate at the City College among students who arrive unprepared is almost 12 percentage points higher than the state average, according to figures compiled by Margaret C. Hanzimanolis, an adjunct English instructor at the City College and two other nearby community colleges.

But on fiscal issues, the situation is more dire. [State support](#) for California's community colleges [has fallen](#) 12 percent since the 2008-9 academic year. The City College got some help in November, when voters at both the state and city levels approved [ballot measures](#) setting aside more money for community colleges. But even with those twin infusions of cash, the City College is expected to fall back into deficit as early as the 2014-15 year, with red ink totaling \$2.5-million, according to a report last year by the state's Fiscal Crisis and Management Assistance Team.

Union members have disputed that projection, distributing an analysis suggesting the state assessment was riddled with exaggerations and factual errors. Also, any future projections are heavily influenced by highly controversial decisions about how much money the City College should put into retirement reserves, said Richard H. Baum, who teaches social sciences.

And either way, the City College is far from the only struggling institution. Twenty-seven of California's 112 community colleges have been given sanctions or warnings by their regional accreditor.

In the past year, since Ms. Beno's agency first put the City College on warning status, the college [has taken steps](#) that include laying off faculty members, closing some campuses, reorganizing departments, and revising a mission statement that emphasizes a diverse mission reaching to cultural enrichment and lifelong learning.

The college's faculty has also fought back. The Accrediting Commission for Community and Junior Colleges faces its own renewal hearing this December by the U.S. Education Department, and Ms. Messer's union has [filed a complaint](#) with the department over the commission's behavior.

In a 280-page filing in April, the union [questioned the commission's motives](#) in penalizing the City College, suggesting potential conflicts of interest that include the presence of Ms. Beno's husband on a review panel that makes site visits for the commission. The union also suggested that the commission, through its power to influence budgetary reforms, was improperly suggesting the use of a retirement-fund investment structure in which two commission members have a financial interest.

And by threatening the City College with drastic consequences for its failure to meet commission standards, Ms. Beno is further scaring away students from the college, which once had as many as 120,000 students, Ms. Kaufmyn said.

Ms. Beno has rejected such talk. The retirement-fund investments are voluntary, a spousal relationship is not a conflict, and City College management is responsible for the situation it faces, she said. "Leadership, understood at a broad level, has been the problem," Ms. Beno said.

The U.S. Education Department wrote last month to Ms. Beno saying it wanted a comprehensive response to the allegations made by the union. But department officials, questioned after last week's decision to revoke the City College's accreditation, said Congress had made it clear that institutions must meet standards in areas that include financial solvency, and that student achievement alone is not a sufficient means of retaining accreditation.

Correction (7/8/2013, 11:53 a.m.): This article originally misstated the types of degrees for which the completion rate is almost 12 percentage points higher at the City College of San Francisco than the state average. They are the degrees of students who came to college unprepared, not technical degrees. The article has been updated to reflect that correction.

D. Scorecards comparing CCSF student success with statewide averages.

2013 City College of San Francisco Student Success Scorecard Metrics														
Cohort Tracked for Six Years Through 2011-12	Completion			Persistence			30 Units			Remedial			Career Technical Education	Career Development & College Preparation
	Prepared	Unprepared	Overall	Prepared	Unprepared	Overall	Prepared	Unprepared	Overall	Math	English	ESL		
Cohort	70.2%	52.9%	55.6%	65.3%	77.0%	75.2%	64.7%	74.0%	72.5%	18.0%	43.3%	52.3%	49.5%	NA
Female	75.3%	54.0%	56.9%	61.9%	76.6%	74.6%	63.9%	75.3%	73.8%	20.4%	43.7%	53.9%	49.9%	NA
Male	65.8%	51.4%	54.0%	67.9%	77.5%	75.8%	65.8%	72.5%	71.3%	14.8%	42.7%	49.4%	48.7%	NA
Under 20 years old	74.3%	54.7%	57.6%	60.6%	77.1%	74.6%	62.7%	75.6%	73.7%	20.7%	48.3%	70.6%	61.5%	NA
20 to 24 years old	68.8%	57.5%	59.4%	80.5%	79.9%	80.0%	77.9%	76.8%	77.0%	17.6%	42.4%	60.2%	55.7%	NA
25 to 49 years old	56.1%	39.8%	42.6%	66.7%	72.9%	71.8%	57.6%	64.0%	62.9%	16.1%	32.5%	41.7%	42.9%	NA
50 or more years old	33.3%	33.3%	33.3%	100.0%	76.7%	78.8%	66.7%	53.3%	54.5%	3.7%	23.5%	33.8%	45.3%	NA
African-American	81.8%	35.3%	37.6%	81.8%	68.6%	69.3%	72.7%	59.9%	60.6%	9.4%	26.6%	57.1%	50.6%	NA
American Indian/Alaskan Native	0.0%	26.3%	23.8%	50.0%	63.2%	61.9%	0.0%	52.6%	47.6%	0.0%	55.6%	NA	33.3%	NA
Asian	72.7%	71.5%	71.7%	68.8%	85.5%	82.2%	69.7%	86.1%	82.9%	36.0%	64.8%	56.5%	58.2%	NA
Filipino	46.7%	33.9%	34.6%	53.3%	72.1%	71.1%	66.7%	63.7%	63.9%	14.2%	31.5%	41.9%	54.8%	NA
Hispanic	65.8%	36.2%	39.1%	63.2%	75.6%	74.4%	60.5%	66.6%	66.0%	14.7%	29.6%	38.1%	46.6%	NA
Pacific Islander	100.0%	34.1%	38.6%	33.3%	73.2%	70.5%	33.3%	75.6%	72.7%	22.2%	41.4%	0.0%	55.6%	NA
White	67.4%	46.6%	50.8%	62.9%	69.0%	67.7%	60.7%	67.0%	65.7%	20.3%	41.3%	55.1%	40.8%	NA

2013 Statewide Student Success Scorecard Metrics														
Cohort Tracked for Six Years Through 2011-12	Completion			Persistence			30 Units			Remedial			Career Technical Education	Career Development & College Preparation
	Prepared	Unprepared	Overall	Prepared	Unprepared	Overall	Prepared	Unprepared	Overall	Math	English	ESL		
Cohort	71.2%	41.1%	49.2%	62.2%	67.3%	65.8%	70.1%	65.1%	66.4%	25.9%	38.1%	23.6%	55.0%	12.4%
Female	73.7%	42.0%	50.1%	61.5%	67.3%	65.7%	69.9%	65.9%	66.9%	27.0%	39.7%	24.7%	58.1%	12.6%
Male	68.5%	39.9%	48.1%	63.3%	67.3%	66.1%	70.3%	64.1%	65.9%	24.3%	36.2%	21.9%	51.9%	12.7%
Under 20 years old	73.1%	43.3%	52.0%	62.1%	67.8%	66.1%	71.1%	66.8%	68.0%	28.7%	42.8%	46.4%	64.4%	28.0%
20 to 24 years old	61.7%	32.8%	38.5%	62.9%	61.1%	61.4%	65.5%	57.0%	58.7%	24.4%	32.7%	32.7%	59.2%	23.4%
25 to 49 years old	50.8%	31.7%	34.5%	63.7%	67.6%	67.1%	58.9%	59.7%	59.5%	23.0%	30.1%	15.7%	47.0%	6.5%
50 or more years old	44.8%	28.0%	30.3%	60.1%	76.1%	73.9%	46.2%	60.9%	58.9%	16.6%	22.5%	8.7%	43.4%	2.2%
African-American	65.9%	35.0%	39.0%	52.3%	61.4%	60.1%	57.1%	55.6%	55.8%	14.1%	24.3%	21.3%	49.8%	14.9%
American Indian/Alaskan Native	59.5%	31.6%	38.5%	66.2%	64.2%	64.6%	67.2%	58.0%	60.3%	19.4%	26.1%	24.2%	51.3%	16.6%
Asian	82.2%	57.9%	66.7%	57.0%	71.8%	66.4%	68.6%	75.4%	72.9%	41.2%	56.5%	30.2%	61.7%	14.1%
Filipino	71.4%	43.1%	50.6%	62.6%	69.4%	67.6%	70.0%	68.4%	68.8%	31.2%	46.1%	29.5%	64.4%	NA
Hispanic	64.7%	34.8%	39.5%	62.7%	66.6%	65.8%	68.2%	61.8%	62.8%	23.9%	34.5%	17.0%	53.2%	9.1%
Pacific Islander	58.3%	35.8%	40.9%	57.0%	64.9%	62.9%	62.8%	61.3%	61.6%	19.8%	34.9%	26.1%	54.1%	21.1%
White	70.5%	44.0%	53.5%	64.9%	68.1%	66.9%	72.1%	67.5%	69.2%	30.2%	41.6%	25.4%	54.8%	20.2%

2013 Statewide Student Success Scorecard

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**E. Appendix of complete lawsuit filed by San Francisco attorney, Herrera.**

The lawsuit is available as a supplementary document in the Delegate Assembly’s document area.