



**ACCREDITING
COMMISSION
for COMMUNITY and
JUNIOR COLLEGES**

*Western Association
of Schools and Colleges*

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June 29, 2015

Dr. Norma Ambriz-Galaviz
President
Merritt College
12500 Campus Drive
Oakland, CA 94619

Dear President Ambriz-Galaviz:

The Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges, at its meeting on June 3-5, 2015, reviewed the Institutional Self Evaluation Report, the Report of the External Evaluation Team that visited Merritt College March 9-12, 2015, and considered the opening testimony provided by President Ambriz-Galaviz and leadership of the Peralta District. The Commission appreciates the joint commitment to working together toward improvement that Merritt College and the Peralta Community College District representatives spoke about.

The Commission took action to **impose Probation** and require the College to submit a Follow-Up Report in October 2016. The Report will be followed by a visit by an external evaluation team. Probation is imposed when an institution deviates significantly from the Commission's Eligibility Requirements, Accreditation Standards, or Commission policies, but not to such an extent as to warrant a Show Cause order or the termination of accreditation. When Probation is imposed as a result of the institution's educational quality and institutional effectiveness review, reaffirmation is delayed, but the accredited status of the institution continues during the probation period. Probation is imposed due to District and College deficiencies.

Merritt College should submit the Follow-Up Report by **October 1, 2016**.¹ The Follow-Up Report should demonstrate that the College has resolved the deficiencies which led to noncompliance and that it meets the Eligibility Requirements and Standards. The Report should address the college, district Recommendations and the Commission Concern noted below.

Need to Resolve Deficiencies:

The Accreditation Standards represent practices that lead to academic quality and institutional effectiveness. Deficiencies in institutional policies, procedures, practices, and outcomes which lead to noncompliance with any Standards will impact quality at an institution, and ultimately the educational environment and experiences of students.

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The Commission found Merritt College out of compliance with the following Eligibility Requirements and Accreditation Standards: Eligibility Requirements 10, 18, and 19 and Standards I.A.3, I.A.4, I.B, I.B.1-6, II.A, II.A.1, II.A.1.c, II.A.2, II.A.2.a, II.A.2.b, II.A.2.c, II.A.2.e, II.A.2.f-h, II.A.5, II.A.6 II.A.6.b, II.B, II.B.3.c, II.B.4, II.C, II.C.2, III.A.1.b, III.A.2, III.A.6, III.B.1, III.B.1.a, III.B.2, III.B.2.a, III.B.2.b, III.C.2, III.D.1.a, III.D.1.b, III.D.3.h, III.D.4, IV.A.2.a-b, IV.A.3, IV.B.1, IV.B.1.a, IV.B.1.e, IV.B.1.j, IV.B.2.a, IV.B.2.b, IV.B.3, IV.B.3.b, IV.B.3.c, IV.B.3.g. The External Evaluation Report that was sent to the institution provides details of the team's findings with regard to each Eligibility Requirement and Accreditation Standard and should be read carefully and used to understand the team's findings. College Recommendations 1 through 9, District Recommendations 1 through 8, and Commission Concern 1 provide guidance for coming into compliance.

College Recommendation 1: In order to meet the Standard, the Team recommends that the College develop and implement policy and procedures for systematically reviewing the college mission statement. (I.A.3)

College Recommendation 2: In order to increase institutional effectiveness, the Team recommends that the College implement an evidence-based process that links institutional planning and decision-making to the college mission. (I.A.4)

College Recommendation 3: In order to meet the Standards, the Team recommends that the College implement systematic and evidence-based integrated planning processes that show clear linkages between planning, program review, Student Learning Outcomes (SLO) assessment, and resource allocation; delineates the roles of faculty, staff, administrators, and students participating in the planning process; and "closes the loop" through ongoing evaluation of the processes and the impact on student learning and achievement. The Team further recommends the College put in place institutional structures that can sustain and stabilize the planning processes. (I.B.1-6; II.A.2.a; II.B.3.c; II.B.4; II.C.2; III.A.6; III.B.2.b; III.C.2; III.D.4; IV.A.1.a-b)

College Recommendation 4: In order to meet the Standards, the Team recommends that the College accelerate the completion of comprehensive program reviews and Annual Program Updates (APUs) for all instruction, student services, learning resources, and administrative services; ensure that the process is systematic, integrated into college planning and resource allocation, and utilized for continuous program improvement. (I.B, I.B.1, I.B.3, I.B.4, I.B.6, II.A, II.A.2, II.A.2.a, II.A.2.e, II.A.2.f, II.A.6.b, II.B, II.B.3.c, II.B.4, II.C, II.C.2, III.A.6, IV.B.2.b, III.C.2, III.D.4, IV.A.1.a-b)

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College Recommendation 5: In order to meet the Standards, the Team recommends that the College establish institution set standards for student achievement and systematically assesses the institution's progress in meeting or exceeding these standards. (I.B, I.B.1-6, II.A, II.A.1.c, II.A.2.a,b,f,g,h; II.A.5, II.A.6)

College Recommendation 6: In order to meet the Standards, the Team recommends that the College accelerate the identification and documentation of student learning outcomes for all courses, programs, certificates, and degrees; assess student attainment of those outcomes to ensure that all of its instructional courses and programs are of high quality and to make improvements. (I.B.1, I.B.3, I.B.5; I.B.6, IIA.1, IIA.2, IIA.2a, II.A.2b, IIA.2c, IIA.2e, IIA.2f)

College Recommendation 7: In order to meet the Standard, the Team recommends that the College work with the District Human Resources Department and follow its policy to systematically complete all personnel evaluations. (III.A.1.b)

College Recommendation 8: In order to meet the Standard, the Team recommends that the College assess and determine the adequate number of qualified faculty and staff to support the College's mission. (III.A.2)

College Recommendation 9: In order to meet the Standard, the Team recommends the College establish and implement a written policy providing for faculty, staff, administrator, and student participation in decision-making processes which specifies the manner in which individuals bring forward ideas from their constituencies and work together on appropriate policy, planning, and implementation. (IV.A.2a, IV.A.2b, IV.A.3)

District Recommendation 1

In order to meet the Standards, the team recommends that the District follow the 2014 audit recommendations and develop an action plan to fund its Other Post-Employment Benefits (OPEB) liabilities, including the associated debt service. (III.D.1.c, III.D.3.c)

District Recommendation 2

In order to meet the Standards, the team recommends that the District resolve the ongoing deficiencies identified in the 2013 and 2014 external audit findings. (III.D.2.b, III.D.3.h)

Commission Concern 1:

Regarding District Recommendations 1 and 2, the Commission carefully reviewed the team report and the District's external audit and found that the District must provide the documented, long-term planning necessary for the continued financial stability of the District.

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This must include attention to obligations coming due in the future such as the postemployment health care benefits, the annual line of credit repayment, and the appropriate resolution to audit findings from 2013 and 2014 which impact the District both at the operating fund level and the entity-wide financial statement level. (III.D.1.c, III.D.2.b, III.D.3.c, III.D.3.h)

District Recommendation 3: In order to meet the Standards, the team recommends that District General Services (DGS) work with college personnel to implement a plan to address total cost of ownership for new facilities and equipment, including undertaking critical deferred maintenance and preventive maintenance needs at the college in order to assure safe and sufficient physical resources for students, faculty and staff. (III.B.1, III.B.1.a, III.B.2.a)

District Recommendation 4: In order to meet the Standards, the District should clearly identify the structures, roles, responsibilities and document the processes used to integrate human, facilities, technology planning, and fiscal planning in support of student learning and achievement and regularly evaluate the process in order to fairly allocate resources to support the planning priorities. (III.A.6, III.B.2, III.C.2, III.D.4, IV.B.3.g)

District Recommendation 5: In order to meet the Standards, the team recommends that the district ensure retention of key leadership positions and that adequate staffing capacity is available to address the demands of three critical areas reflected in the accreditation standards: institutional effectiveness and leadership, institutional research, and financial accountability and management. (III.A.2, III.A.6)

District Recommendation 6: In order to meet the Standard, the team recommends that the district clearly delineate and communicate the operational responsibilities and functions of the district from those of the colleges and consistently adheres to this delineation in practice; and regularly assesses and evaluates district role delineation and governance and decision-making structures and processes to assure their integrity and effectiveness in assisting the colleges in meeting educational goals. (IV.B.3)

District Recommendation 7: In order to meet the Standards, the team recommends the Governing Board adhere to its appropriate role. The Board must allow the chancellor to take full responsibility and authority for the areas assigned to district oversight. (IV.B.1, IV.B.1a, IV.B.1.e, IV.B.1.j)

District Recommendation 8: In order to meet the Standards, the team recommends that the District systematically evaluate the equitable distribution of resources and the sufficiency and effectiveness of district-provided services in supporting effective operations of the colleges. (IV.B.3.b, IV.B.3.c, III.D.1.a, III.D.1.b, III.D.1.h)

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In addition to demonstrating that Standards associated with the recommendations noted above are met, Merritt College must also demonstrate that it meets Eligibility Requirements (ERs) 10, 18, and 19 at the time of the October 2016 Follow-Up Report. Deficiencies in meeting these ERs were noted in the team report.

Improving Institutional Effectiveness:

In its report, the team noted College Recommendation 2 for improving institutional effectiveness. This recommendation does not identify current areas of deficiency in institutional practice, but highlights areas of practice for which College attention is needed. The Commission requires that institutions address recommendations for increasing institutional effectiveness as an aspect of maintaining compliance with Standards and continuous quality improvement. The Commission requires that this recommendation be addressed in the Follow-Up Report in October 2016.

College Recommendation 2: In order to increase institutional effectiveness, the Team recommends that the College implement an evidence-based process that links institutional planning and decision-making to the college mission. (I.A.4)

Additional Information:

Under U.S. Department of Education enforcement regulations, the Commission is required to take immediate action to terminate the accreditation of an institution which is out of compliance with any Standard. In the alternative, the Commission can provide the institution with additional notice and a deadline for coming into compliance that is no later than two years from when the institution was first informed of the noncompliance. With this letter, Merritt College is being provided with notice of the Standards for which it is out of compliance and is being provided time to meet the Standards.

In addition to the above deficiencies, the Commission also noted that Merritt College is out of compliance with federal regulations regarding institution-set standards for student achievement, transfer policies and Title IV compliance as indicated in the team report.

In its self evaluation process, Merritt College also identified improvement plans it intends to undertake. These improvement plans should be linked to Merritt College's ongoing evaluation and improvement work.

The guidance and recommendations contained in the External Evaluation Report represent the best advice of the peer evaluation team at the time of the visit but may not describe all that is

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necessary for the College to come into compliance. While an institution may concur or disagree with any part of the Report, Merritt College is expected to use the External Evaluation Report to improve educational programs and services. In addition, the College has the responsibility to accept the Commission's action and to uphold the integrity of the accreditation process by accurately portraying it and helping institutional constituencies to understand the Eligibility Requirements, Accreditation Standards, and Commission policies pertinent to the Commission action.

A **final** copy of the External Evaluation Report is attached. The Commission has made a correction to a typographical error in the citation of Standards for College Recommendations 3 and 4 on pages 8, 9, and 36 in the External Evaluation Report changing Standard IV.A.1 a-b to Standard IV.A.2.a-b.

The Commission requires that the College give the Institutional Self Evaluation Report, the External Evaluation Team Report, and this letter appropriate dissemination to College staff and to those who were signatories of the College Self Evaluation Report. This group should include the campus leadership and the Board of Trustees. The Commission also requires that these documents be made available to students and the public by placing a copy on the College website. *Please note that in response to public interest in disclosure, the Commission now requires institutions to post accreditation information on a page no more than one click from the institution's home page.*

Public Disclosure Notice and Institutional Response

Federal regulations require the Commission to post a Public Disclosure Notice (PDN) for institutions placed on Probation. The PDN is used to inform the public of the reasons for such a sanction. Attached you will find a sheet entitled About the Public Disclosure Notice, as well as the proposed PDN for Merritt College.

The Commission will post the PDN on the College's entry in the Directory of Accredited Institutions online at www.accjc.org. The institution is permitted to post a response to the PDN, and your comments are invited. Please provide the College's response for posting, if any, by **July 31, 2015**.

On behalf of the Commission, I wish to encourage your continued work to ensure Merritt College's educational quality and to support students' success. Professional self-regulation is the responsibility of an accredited college and the accreditor. Thank you for sharing in that responsibility.

Dr. Norma Ambriz-Galaviz
Merritt College
June 29, 2015

If you should have any questions concerning this letter or the Commission action, do not hesitate to contact me.

Sincerely,



Barbara A. Beno, Ph.D.
President

BAB/tl

cc: Dr. José Ortiz, Chancellor

Enclosures:
About the Public Disclosure Notice
Merritt College Public Disclosure Notice
Final External Evaluation Team Report

¹Institutions preparing and submitting Midterm Reports, Follow-Up Reports, and Special Reports to the Commission should review *Guidelines for the Preparation of Reports to the Commission* found on the ACCJC website at: (<http://www.accjc.org/college-reports-accjc>).