

January 27, 2022

Dr. David Johnson
President
Merritt College
12500 Campus Drive
Oakland, CA 94619

Dear Dr. Johnson:

The Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges, at its meeting January 12-14, 2022, reviewed the Follow-Up Report, Teach-Out Plan, and related evidentiary materials submitted by Merritt College. The Commission also considered the Follow-Up Peer Review Team Report prepared by the follow-up team that visited the institution on October 18-19, 2021.

The Commission appreciated the spoken remarks of Dr. Jannett Jackson, Chancellor of the Peralta Community College District, as well as your participation in the meeting, and that of Dr. Angélica Garcia, President, Berkeley City College; Dr. Nathaniel Jones III, President, College of Alameda; Dr. Rudolph Besikof, President, Laney College; Mr. Royle Roberts, Chief of Staff to the Peralta Community College District Chancellor; and Mr. Adil Ahmed, Peralta Community College District Interim Vice Chancellor of Finance & Administration.

The purpose of this review was to determine whether the College has addressed the deficiencies and demonstrated compliance with the Standards cited in the Commission's February 1, 2021 Action Letter. Upon consideration of the information noted above, the Commission acted to **Issue Warning**. In addition, per the ACCJC *Policy on Teach-Out Plans and Agreements*, the Commission reviewed the College's Teach-Out Plan and acted to Accept the Report.

The Commission found that the College has addressed the following compliance requirements, corrected deficiencies, and meets:

- Standard IV.C.3 (District Compliance Requirement 6)
- Standard IV.C.7 (District Compliance Requirement 8)
- Standard IV.C.12 (District Compliance Requirement 9)
- Standard IV.D.2 (District Compliance Requirement 10)

Additionally, the Commission found that the College has appropriately resolved the following deficiencies identified through fiscal monitoring:

- Establishing FTES Targets and Enrollment Management Plans
- Establishing a Student Success Infrastructure Plan to comply with the Student-Centered Funding Formula as announced by the California Community College Chancellor's Office
- Adopting a Board policy to adopt sustainable fund balances and reserves
- Establishing Strategies to improve the management of the OPEB debt
- Providing an executive-level staff turnover analysis and recommendations to train these staff at the district

The Commission found **continued non-compliance** with the following Standards and compliance requirements:

- Standards III.D.5, III.D.6, III.D.8 (District Compliance Requirement 1)
- Standard III.D.7 (District Compliance Requirement 2)
- Standard III.D.10 (District Compliance Requirement 3)
- Standard IV.C.1 (District Compliance Requirement 4)
- Standard IV.C.2 (District Compliance Requirement 5)
- Standard IV.C.4 (District Compliance Requirement 7)

Further, the Commission found that the College has not resolved the following deficiencies identified through fiscal monitoring:

- Establishing guidelines to reduce operational overspending and eliminate the structural deficit
- Adopting a restructuring plan to improve efficiencies and accountability at the District Office and the Colleges
- Addressing all audit findings

The College is **required to submit a Follow-Up Report¹ to address the remaining compliance requirements and deficiencies identified through fiscal monitoring by October 1, 2022**. The Follow-Up Report will be followed by a visit from a peer review team. The accredited status of the institution continues during the warning period.

In accordance with federal regulations and the *Policy on Commission Actions on Institutions*, compliance requirements must be addressed and the institution must demonstrate that it aligns with Standards within three years of first receiving notification of noncompliance, by January 2023 for deficiencies identified through fiscal monitoring, and by June 2024 for District Compliance Requirements. If the institution cannot document that it has come into compliance within the designated period, the Commission will take adverse action.

¹ Institutions preparing and submitting Midterm Reports, Follow-up Reports, Special Reports, or Teach-out plans/agreements to the Commission should review *Guidelines for Preparing Institutional Reports to the Commission*, found on the ACCJC website at <https://accjc.org/guides-and-manuals/>.

The Commission looks forward to receiving the College's report demonstrating that it has addressed the deficiencies, and supports your institution's efforts to come into compliance.

The Commission requires the College to disseminate this Follow-Up Report, the Follow-Up Peer Review Team Report, and this letter within the institution, including by posting them on the College's website. A final copy of the Follow-Up Peer Review Team Report is attached.

On behalf of the Commission, we wish to express appreciation for the diligent work that Merritt College has undertaken and progress it has made as it responds to these requirements. These efforts confirm that peer review can serve the multiple constituencies of higher education by both ensuring and encouraging institutional quality and effectiveness.

If you have any questions about this letter or the Commission's action, please feel free to contact Dr. Cindy Miles or the vice president assigned as liaison to your institution.

Sincerely,



Cindy Miles, Ph.D.



Sonya Christian, Ed.D.

cc: Dr. Jannett Jackson, Interim Chancellor, Peralta Community College District
Dr. Denise Richardson, Accreditation Liaison Officer