



**California Federation of Teachers**  
American Federation of Teachers, AFL-CIO

**FOR IMMEDIATE RELEASE**

June 18, 2015

Contact: Fred Glass, 510-579-3343, [fglass@cft.org](mailto:fglass@cft.org)

## **Appeals Court Denies Community College Accrediting Commission's Objections**

*Rules that CFT suit does not violate ACCJC's free speech rights*

The California Court of Appeals has confirmed a San Francisco Superior Court ruling rejecting the Accrediting Commission for Community and Junior Colleges' claim that its rights were violated in the lawsuit brought against it by the California Federation of Teachers and the City College of San Francisco faculty union, AFT 2121.

The CFT and AFT 2121 suit, filed in 2013, alleges abuses by the ACCJC in its review of City College of San Francisco (CCSF) and other violations of California law, federal regulations and its own policies.

In one of many avoidance and delay tactics that ACCJC has used to prevent broader discovery of its lack of transparency and inconsistently applied standards, the agency filed an "anti-SLAPP motion," asking the court to dismiss the CFT/AFT suit on grounds it retaliated against ACCJC's exercise of its "rights of free speech." ACCJC argued that its decision to disaccredit the college was actually an exercise of "free speech." In denying ACCJC's motion, the Superior Court found that based on the merits of their case and the evidence CFT/AFT had presented to the court, CFT/AFT were likely to prevail in their suit. ACCJC then appealed this denial to the Court of Appeals, which last week rejected ACCJC's argument, agreed CFT/AFT was likely to prevail, and dismissed ACCJC's appeal.

The ACCJC recently lost to the City Attorney of San Francisco when a CA Superior Court judge found that the accreditor had broken four laws in its flawed attempt to disaccredit CCSF. A half dozen of ACCJC's legal maneuvers to avoid trial in the City Attorney's suit were previously denied by the Superior Court.

"We are again vindicated on our claims about the law-breaking ACCJC and are pleased that the Appeals Court has validated the right of the California Federation of Teachers and the AFT to hold this rogue agency accountable for its illegal acts," said AFT Local 2121 president Tim Killikelly.

[MORE]

“Although the Commission’s most destructive ruling occurred in San Francisco, its unfair, threatening, and expensive behavior is a problem throughout California’s community college system,” said the CFT president Joshua Pechthalt. “This ruling clears the way for possible further legal action that builds on the successful City Attorney’s suit. It also bolsters the argument — now made by many elected officials — that the Legislature should reform our broken accreditation system,” Pechthalt added.

AB 1397 and AB 1385 (Ting), both of which passed the Assembly two weeks ago, seek to reform the accreditation process and fix problems created by the ACCJC. AB 1397 would require greater agency transparency and accountability. AB 1385 would limit the ability of the ACCJC — a private non-profit agency — to bill taxpayers for its mounting legal costs.

The denial of ACCJC’s appeal last week confirms the merits of the CFT/AFT 2121 case. The lawsuit now returns to San Francisco Superior Court.

#####

*The CFT represents over 25,000 faculty in thirty community college districts, and 120,000 educational employees at every level of the education system, from Head Start to UC. More info: [www.cft.org](http://www.cft.org)*