

Chapter 4 – Academic Affairs

AP 4610 Instructional Service Agreements (NEW)

References:

Education Code Sections 78015 and 84752; Title 5 Sections 51006, 53410, 55002, 55003, 55005, 55300-55302, 55600 et seq., 58051 subdivisions (c) – (g), 58051.5, 58055, 58056, 58058 subdivision (b), and 58102 - 58108

The College may enter into an instructional service agreement with a public or private agency (“Agency”) for the purpose of providing instruction and training. The College shall comply with the requirements of Title 5 Sections 55230-55232 concerning approval by adjoining high school or community college districts and use of non-district facilities, if classes are to be located outside the boundaries of the District.

All Instructional Service Agreements (ISAs) established by the College shall include the following criteria:

- Delegation of responsibility for instructional service agreements;
- Compliance with relevant policies and procedures;
- The responsibility of the governing board, prior to establishing a career/technical program, is to conduct a job market study of the labor market area, and determine whether or not the results justify the proposed career/technical program;
- A written agreement or contract with the contractor stating the responsibilities of each party and that the college or district is responsible for the educational program conducted on site;
- The inclusion of procedures, terms and conditions relating to: 1) enrollment period; 2) student enrollment fees; 3) the number of class hours sufficient to meet the stated performance objectives; 4) supervision and evaluation of students; and 5) withdrawal of students prior to completion of a course or program.

The agreement/contract shall contain terms and conditions relating to cancellation and termination of the arrangement.

Instruction claimed for apportionment under the agreement/contract, shall be under the immediate supervision and control of an employee of the College who has met the minimum qualifications for instruction.

When the instructor is not a paid employee, the College shall have a written agreement or contract with each instructor conducting instruction for which full-time employees are to be reported and stating that the College has the primary right to control and direct the instructional activities of the instructor.

The College shall list the minimum qualifications for instructors teaching these courses and that the qualifications are consistent with requirements in other similar courses offered in the College.

The courses or programs must be held at facilities which are clearly identified as being open to the general public. Enrollment in the course must be open to any person who has been admitted to the College and has met any applicable prerequisites. Board policy on open enrollment must be published in the district catalog, schedule of classes, and any addenda to the schedule of classes, along with a description of the course and information about whether the course is offered for credit and is transferable.

A student may request an evaluation of his/her/their previous experience and coursework to determine if it is equivalent to the listed requirements. A student found not to meet the prerequisite requirements may challenge the prerequisites through the district's prerequisite challenge process. The College must maintain documentation that demonstrates its processes for assessing student eligibility for enrollment were followed.

College publications shall inform students regarding the method by which they may seek an evaluation for equivalent enrollment eligibility for advanced public safety courses. College publications, including the course outline and syllabi, shall include a notification that approval of equivalent enrollment eligibility is not a guarantee that state regulatory or licensing agencies will also grant equivalency for licensure or employment purposes.

Degree and certificate programs must have been approved by the California Community Colleges Chancellor's Office and courses that make up the programs must be part of the approved programs, or the College must have received delegated authority to approve those courses locally.

The courses of instruction are specified in the agreement, the outlines of record for such courses and are approved by the College's curriculum committee as meeting Title 5 course standards, and the courses have been approved by the district board of trustees.

Procedures used by the College to ensure that faculty teaching different sections of the same course teach in a manner consistent with the approved outline of record for that course are applied to courses and faculty covered under the agreement, and students are held to a comparable level of rigor.

Records of student attendance and achievement shall be maintained by the College. Records will be open for review at all times by officials of the College and submitted on a schedule developed by the College.

It is agreed that both the contractor and the College shall ensure that ancillary and support services are provided for the students.

The College must certify that it does not receive full compensation for the direct education costs of the course from any public or private agency, individual or group.

The College is responsible for obtaining certification verifying that the instructional activity to be conducted will not be fully funded by other sources.

The College shall comply with the requirements of Title 5 Sections 55230-55232 concerning approval by adjoining high school or community college districts and use of non-district facilities, if classes are to be located outside the boundaries of the College.