



## **AP 4610                      INSTRUCTIONAL SERVICE AGREEMENTS**

### **References:**

- Education Code Sections 78015 and 84752;
- Title 5 Sections 51006, 53410, 55002, 55003, 55005, 55300-55302, 55600 et seq., 58051 subdivision (c) – (g), 58051.5, 58055, 58056, 58058 subdivision (b), and 58102-58108;
- 2012 State Chancellor's Office Guidelines for Instructional Service Agreements

Instructional Service Agreements (ISA) exist between public agencies or private entities and the District to provide specific educational services. In ISAs, an outside organization establishes a partnership with a community college to obtain college-level training for its employees or members. ISAs are different from contract education, in which a contractor pays the full cost of instruction in a closed class setting and the District does not receive apportionment. ISAs are often mutually beneficial because the instructional costs are shared and students can receive college credit.

Such agreements must meet the conditions outlined below.

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 a faculty member of the District who has met the minimum qualifications for instruction.

When the instructor is not a paid employee of the District, the District shall have a written agreement or contract with each instructor conducting instruction requiring full-time equivalent students (FTES) to be reported by the instructor and stating that the District has the primary right to control and direct the instructional activities of the instructor.

The District shall list the minimum qualifications for instructors teaching these courses and publish a statement that the qualifications are consistent with requirements in other similar courses offered by the District.



The course must be held at facilities that 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 District and has met any applicable prerequisites. BP 5052 Open Enrollment must be published in the 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.

### **Public Safety Courses**

Course outlines of record for advanced public safety courses should not require as a prerequisite public safety employment or possession of a basic course diploma as prerequisites. Appropriate health and safety prerequisites or enrollment limitations can include the requirement to pass a California Department of Justice Live Scan, or other additional requirements that comply with the law.

Course outlines of record for advanced public safety courses should include a sufficiently detailed list of prerequisites that are directly related to the content of the advanced course so that all prospective students can be assessed for enrollment eligibility. Prerequisites may not be established or construed to prevent academically qualified persons not employed in public safety agencies from enrolling in and attending courses. Students may request an evaluation of 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 District must maintain documentation that demonstrates the processes for assessing student eligibility for enrollment were followed.

### **Eligibility**

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 Program Certification**

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



The courses of instruction are specified in the agreement and the course outlines of record for such courses are approved by the Curriculum Advisory Committee as meeting Title 5 course standards. All courses shall have been approved by the Board of Trustees.

Procedures used by the District must assure that faculty teaching different sections of the same course teach in a manner consistent with the approved course outline of record for that course and that 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 District. Records will be open for review at all times by officials of the District and submitted on a schedule developed by the District.

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

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

The District 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.

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