The District may provide instructional services through the use of an Instructional Service Provider subject to the following procedures:

An Instructional Service Agreement will be executed and approved by the Board of Trustees prior to the commencement of services. Instructional Services Agreements will state the responsibilities of each party and shall be prepared by the appropriate program manager. The agreement shall include, but is not limited to all procedures, terms and conditions relating to enrollment periods; student enrollment fees; the number of class hours sufficient to meet the stated performance objectives; supervision and evaluation of students; and withdrawal of students prior to completion of a course or program.

Instructional Service Agreements will assure compliance with the following provisions:

1. The agreement/contract shall require that all relevant Board policies and procedures and all relevant regulations and laws are followed in the delivery of instruction.
2. The agreement/contract shall contain terms and conditions relating to cancellation and termination of the arrangement.
3. Instruction claimed for apportionment under the agreement/contract, shall be under the immediate supervision and control of an employee of the District or a contracted employee who has met the minimum qualifications for instruction.
4. Where the instructor is not a paid employee, the District shall have a written agreement or contract with each instructor conducting instruction for which FTES are to be reported and stating that the District has the primary right to control and direct the instructional activities of the instructor.
5. The District shall list the minimum qualifications for instructors teaching these courses and that the qualifications are consistent with requirements in other similar courses given in the District.
6. 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 College and has met any applicable prerequisites. The District’s policy on open enrollment must be published in the College Catalog, Schedule of Classes, electronically, in print and in 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.
7. Degree and certificate programs must have been approved by the 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.
8. The courses of instruction are specified in the agreement, the Course Outlines of Record for such courses and are approved by the Curriculum Committee as meeting Title 5 course standards, and the courses have been approved by the Board of Trustees.
9. Procedures are used by the District assure 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.

10. 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.

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

12. 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.

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

14. If classes are to be located outside the boundaries of the District, 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.

Legal References:
Education Code Section 78015
Title 5 Sections 51006, 53410, 55002, 55005, 55300-55302, 55600 et seq., 55805.5, 58051(c) – (g), 58051.5, 58055, 58056, 58058(b), and 58100-58110 March 10, 2009

Adopted: September 5, 2013