

**AP 4610 INSTRUCTIONAL SERVICE AGREEMENTS**

**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

The College office of Academic Affairs, or designee, will be responsible for preparing instructional service agreements for the District and will comply with all relevant policies and procedures.

Prior to establishing a career or technical training program for which an Instructional Service Agreement is needed, the College office of Academic Affairs, or designee, shall determine that a need exists to justify the proposed program.

A written agreement or contract with the contractor, stating the responsibilities of each party and that the District is responsible for the educational program conducted on site shall be prepared by the appropriate program manager. Said 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, withdrawal of students prior to completion of a course or program, as well as terms and conditions relating to cancellation or 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 District who has met the minimum qualifications for instruction.

Where the instructor is not a paid employee, the District shall have a written agreement or contract with each instructor conducting instruction for which full-time students are to be reported. The College 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 that the qualifications are consistent with requirements in similar District courses.

The course shall be held at facilities which are clearly identified as being open to the general public. Enrollment in the course shall be open to any person who has been admitted to the District and has met any applicable prerequisites. The District Policy on

Open Enrollment will 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.

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

The courses of instruction shall be specified in the agreement and the outlines of record for such courses and approved in accordance with District curriculum approval process and applicable Title 5 standards.

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 insure that ancillary and support services are provided for the students.

The College shall 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 55300-55302 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.

Office of Primary Responsibility: Vice Chancellor, Educational Services

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Administrative Approval: April 13, 2009

Revised: April, 2014 (job titles only)

Revised: August 2015 (job titles only)