

Approved  
October 20, 2016

## **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.,  
55805.5, 58051(c) – (g), 58051.5, 58055, 58056, 58058(b), and 58100-58110

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 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 employees are to be reported 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 that the qualifications are consistent with requirements in other similar courses given in the District.

The course 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 District and has met any applicable prerequisites. The District 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.

Course outlines of record for advanced public safety courses will not list as a prerequisite public safety employment or possession of a basic course diploma. 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.

A student may request an evaluation of his/her 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 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 System 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, the outlines of record for such courses and are approved by the District curriculum committee as meeting Title 5 course standards, and the courses have been approved by the district board of trustees.

Procedures used by the District to 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.

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 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.