

## **AP 4104 Contract Education**

The District may contract for instructional classes to be offered in service to public or private agencies or groups.

As part of its economic and workforce development efforts, the District provides instructional classes and customized training and services to business, industry, government agencies, and other public or private organizations. The process may involve creation of new courses or training, revision of existing course outlines for use in a particular training program, special assistance and assessment, and consultative or developmental services to define specific needs. The District may contract with business, industry, government agencies, other public or private organizations, or individuals to develop and/or deliver these services. In certain cases, these services may be funded by the contractor (client) through public training funds. These contracted activities are generally closed to the public. Contracted services shall be self-supporting and shall not use unrestricted general funds of the District.

### **Contract Education Options**

When contracted services include instructional or training components, various options are available as follows:

- **Credit:** Any class offered for community college credit, regardless of whether the class generates state apportionment. These are closed classes, offered for community college credit for a particular client on a self-supporting contractual basis.
- **Noncredit:** Refers to courses that meet the criteria for apportionment pursuant to Education Code Section 84757. These are closed classes offered for a particular client on a self-supporting contractual basis that do not generate community college credit.
- **Not-for-credit:** Refers to classes that are offered without credit and that are not eligible for apportionments pursuant to Education Code Section 84757. These are classes of a seminar, workshop, and/or technical nature and offered for a particular client on a self-supporting contractual basis.

### **Faculty Qualifications, Selection, Compensation, and Evaluation**

When contract education involves academic credit or noncredit classes:

- Faculty appointments will be consistent with minimum qualifications, and curriculum approval processes and registration procedures will be followed.

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- Faculty in all credit and noncredit contract education classes shall be selected and hired according to existing District procedures for the selection of instructors for credit and noncredit classes.
- Faculty teaching credit and noncredit contract education classes shall be compensated in the same manner as comparable faculty in regular, non-contract education programs.
- Faculty teaching credit or noncredit contract education classes shall be evaluated according to the procedures used for the evaluation of faculty in regular, non-contract education programs.

When contract education involves not-for-credit classes:

- Faculty teaching not-for-credit contract education classes shall be compensated in the same manner as faculty in regular, non-contract education programs if the course meets the same standards as a course in the credit curriculum.
- Faculty teaching not-for-credit contract education programs shall be evaluated according to procedures specified in the contract between the District and the public or private entity to establish the program.

### **Feasibility Criteria**

These basic criteria shall serve as a method to evaluate the District's involvement in any given agreement. District administrators shall review and recommend agreements on the basis of these standards:

- The aims and objectives of the agreement shall further the District's mission, mandates, and goals.
- The scope, objectives and outcomes of the agreement shall be feasible, measurable, and attainable.
- The District and/or its institution shall recover, from all revenue sources, an amount equal to or greater than the actual costs, including administrative costs, incurred in providing contracted services.

### **Scope of Work Definition**

Contract education generally involves three broad and distinct areas: Needs Analysis, Program Development and Implementation, and Outcomes Evaluation.



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- Needs Analysis: May involve consultation, assessments, skills testing, job and function analyses, etc., to determine the client's needs, skills or performance gaps and prepare action plans to meet the client's objectives.
- Program Development and Implementation: Typically involves customization or development of new curricula, delivery of services and/or instruction, and program administration.
- Outcomes Evaluation: Creation and/or utilization of methods or instruments to track client's training and performance outcomes.

### **Contract Ratification by Governing Board or District Administration**

The District's Governing Board shall ratify all performance agreements. For the purpose of this procedure, performance agreements are defined as a contract that requires an expenditure tied to specific deliverables.

The Superintendent/President or designee shall have authority to ratify agreements which do not involve District expenditure. Examples include income generating agreements, facility use agreements, and service agreements in which the parties agree to perform specific roles in exchange for service.

Reference: Title 5 Section 55170;  
Education Code Sections 78020 et seq.

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