

INSTRUCTIONAL ARRANGEMENTS
INSTRUCTIONAL CONTRACTS WITH OUTSIDE AGENCIES

ECF
(LEGAL)

CONTRACTUAL
AGREEMENTS

General enrollment or contract training courses that are non-credit and do not result in the award of continuing education units (CEU) are not eligible for any state apportionment funding, but a two-year college is free to market such noncredit or non-CEU training to business, industry, and government at whatever rate can be negotiated with the contracting organization. Exceptions regarding programs serving incarcerated students must be submitted to the Coordinating Board staff for review and approval.

Courses earning CEUs shall be subject to the guidelines published by the Southern Association of Colleges and Schools Commission on Colleges as a condition of eligibility for formula funding.

All student enrollments for semester hour credit are subject to the provisions of the Texas Success Initiative as applicable.

Public two-year colleges providing courses to organizations for which semester hour credits or CEUs are earned must charge out-of-state tuition to nonresident students who are brought from out-of-state for such contract courses.

19 TAC 9.123

NONACCREDITED
ORGANIZATIONS

Contractual agreements for instruction with non-SACS/COC accredited organizations must comply with all current guidelines of the Southern Association of Colleges and Schools Commission on Colleges. Courses and programs eligible under contractual agreements must be consistent with the educational purpose, mission, and goals of the institution. Courses and programs offered and requested for state reimbursement must remain under the sole and direct control of the sponsoring two-year college.

All programs and courses must be approved through the established procedures of the Coordinating Board.

Courses offered must remain under the sole and direct control of the College District which exercises ultimate and continuing responsibility for the performance of the functions reflected in the contract. Instructors of courses must meet qualifications as stipulated by the College District. The College District must employ at least one full-time faculty member per degree program and specify in the contract the institutional procedures by which the contracted courses or programs meet the standards of regular programs as disclosed fully in the publications of the institution, specifically including the following:

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1. Recruitment and counseling of students;
2. Admission of students to courses and/or to the College District where certificate and associate degree programs are pursued;
3. Development and evaluation of the curriculum;
4. Evaluation of student progress;
5. Record keeping;
6. Tuition and/or fee charges, receipts and disbursement of funds, and refund policy;
7. Appointment, supervision, and evaluation of faculty; and
8. Instruction and learning resources.

The contractual agreement must be executed by designated officers of the College District and their counterparts in the contracting organization. The contractual agreement shall establish a definite understanding between the College District and the contracting agency to include each of the items required by 19 TAC 9.124. The agreement shall specify the work to be performed, the period of the agreement, and the conditions under which any renewal or renegotiation must occur.

19 TAC 9.124

PUBLIC SECONDARY
SCHOOLS

The College District may contract to provide instruction for public secondary schools. Provision of instruction for public secondary schools by the College District must be in accordance with rules and guidelines established by the State Board of Education. Instruction provided under a contractual agreement may include only coursework necessary for students to complete high school. It does not apply to early admission programs for high school students entering college. Instructors in contract programs with public secondary schools must meet qualifications required by the College District as well as the minimum guidelines approved by the State Board of Education. An agreement between the College District and the public secondary school must be approved by both governing boards. Funding for this type of instruction must flow to the public secondary school as the contracting agency. An agreed cost for instruction must be negotiated between the College District and the public secondary school. *19 TAC 9.125*

ACCREDITED
INSTITUTIONS

The College District may enter into cooperative undertakings or contractual agreements with other Texas public two-year colleges as permitted by law. The College District may enter into cooperative undertakings or contractual agreements with other Texas pub-

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lic institutions of higher education as part of a multi-institution teaching center as outlined under 19 TAC Chapter 5, Subchapter D, Section 5.78. The College District may enter into cooperative undertakings or contractual agreements with SACS/COC-accredited independent institutions of higher education as part of a multi-institution teaching center as outlined under 19 TAC Chapter 5, Subchapter D, Section 5.78 or other partnership agreements on a shared-cost basis as permitted by law. *19 TAC 9.126*

STATE FUNDING

No funds appropriated to any College District may be expended for any course which has not been approved by the Commissioner, even if such course is taught under a contractual agreement. *19 TAC 9.128*

SKILLS
DEVELOPMENT FUND

The skills development fund may be used by public community and technical colleges or the Texas Engineering Extension Service as start-up or emergency funds for the following job-training purposes:

1. Developing customized training programs for businesses and trade unions; and
2. Sponsoring small and medium-sized business networks and consortiums.

Labor Code 303.003(b); 40 TAC 803

WORKFORCE
TRAINING AND
SERVICES

The College District shall promptly provide workforce training and services that are requested:

1. By a local workforce development board if the need for the training and services is based on the labor market information system available for the area;
2. By employers located in the College District's taxing district when the request is presented directly to the College District by the employers or through the local workforce development board; or
3. As part of economic development incentives designed to attract or retain an employer, including incentives offered under the skills development fund program under Labor Code Chapter 303.

Gov't Code 2308.308

