

## 29. Policy on Contracting for Educational Delivery

Institutions seeking to improve or expand the ways in which they provide education to their students may find the need to contract with other institutions or organizations to provide certain components of the educational experience.

The following policy applies to DETC institutions with another educational institution or other organization for the educational delivery of its programs and/or delivers training for another educational institution or other organizations under a contractual arrangement or agreement.

Any institution accredited by DETC is held responsible for all activities carried out under its name. The DETC's standards, policies, and procedures apply to any contractual arrangements as well as to the member institution's regular activities. This includes policies regarding outcomes assessment, advertising, and recruitment.

### Contracting with a Third Party

If a DETC institution contracts with a third party to deliver an educational program, the agreement must be with an institution accredited by DETC or by another recognized accrediting agency (recognized by the U.S. Secretary of Education and/or the Council for Higher Education Accreditation). If the third party organization is not an accredited educational institution, such as a training company, its curricula, instructors, student services must be reviewed and approved by the DETC under DETC standards. Such review by DETC will not constitute the award of accreditation of the third party organization, which is a status solely reserved for the DETC accredited educational institution. Accreditation cannot be transferred to the third party organization.

Institutions may only contract up to 25% of its total educational offerings.

### Information Required

The DETC institution contracting for educational delivery with a non-DETC institution must seek DETC approval. In addition, the DETC institution must provide the following information to the DETC staff up to 60 days prior to the implementation of the contract, along with any fees required.

1. A statement describing the percentage of the educational program to be provided by the other party, the name and background of the third party, and the reason for entering in the contract;
2. A copy of the contract between the DETC accredited institution and the other party, which clearly spells out the obligations of both parties including a description of all fees and financial obligations between the other party and the institution and the educational courses/programs and services included in the contract. The DETC institution is responsible for informing the non-DETC party that the contract does not imply or extend any accredited status to that entity;
3. The contract should be executed by designated officers of the institution and their counterparts within the contracting institution. The contract clearly establishes or defines:
  - The nature of the services to be performed by each party;
  - The period of the agreement, and the conditions under which any possible renewal, renegotiation, or termination of the contract could take place;

- Appropriate protection and contingency plans for enrolled students in the event that a contract is terminated or renegotiated or the other party fails to meet the contract obligations;
  - The procedures for grievance regarding any aspect of the offerings;
  - Appropriate avenue(s) for addressing perceived breaches of the contract;
  - The contract explicitly defines the institution(s) awarding the credit, educational course(s), programs(s), and services included in the contract; how outcomes assessment will be conducted and reported to DETC; how student support services necessary to the courses/program(s) will be assured; and how student access to the learning resources required for the courses/program(s) will be assured; and
  - The contract explicitly states financial arrangements that specify the compensation and other considerations for the services provided by each of the parties; the mechanism used to account for the services provided by each of the parties; and (if appropriate) that the institution meets all legal requirements for federal and state student aid programs that might be used by students or the contracting entities.
4. The DETC accredited institution will submit the courses/programs for review by DETC per C.5. Policy on Course/Program Approval. Courses to be offered and the level of their credit must be determined by the DETC institution in accordance with established institutional procedures and C.23. Policy on Credit Hour.
  5. Draft language for the publication of the catalog and enrollment agreement that will be issued to students enrolling in course/program(s), including the facilities, specific information about the course/program(s) and the services to be offered by the other party along with all tuition and fees. Such documents must also explicitly state the grievance policy to be used by students. The accrediting agency listed in the grievance policy shall be the accrediting body of the school providing the majority of the student instruction/support. If the third-party organization is not an accredited educational institution, the enrollment agreement, catalog and grievance policy will conform to DETC standards.”
  6. A copy of the state license, exemption letter or other legal documents authorizing the third party to conduct business; and
  7. An attestation signed by the CEO that the DETC institution will include all training delivered by the third party contractor in reports submitted to DETC such as the annual reporting of financials, enrollments, and completions/graduations.

All other applicable DETC standards, policies and procedures continue to apply to the institution, the program(s), and student services.

### **Providing Educational Delivery Under a Contract**

If a DETC institution delivers training for another educational institution or other organization under a contractual agreement, the DETC institution will include a full description of all training delivered under the contract(s) in its Annual Reports submitted to DETC, and include such contracted training activity in the annual reporting of enrollments and financial information to DETC.

# # #

Adopted December 2011