

March 18, 1998

To: Presidents

From: Barry W. Russell
Executive Vice President

Subject: **High School Instructional Contracts**

Special legislation adopted in 1992 permitted a community college to contract with a local school administrative unit (LEA) for a public high school teacher to teach a Huskins Bill course, but the community college could not generate budget FTE for the instruction delivered. The legislation did allow the college in this situation to be reimbursed for the direct instructional cost plus 15% to cover administrative overhead.

A special 1997 provision (see Attachment) amended this earlier legislative position. The 1997 legislation states, "the State Board of Community Colleges shall allow a college to earn regular budget FTEs for a college level course taught to high school students even though the course instructor is a local high school teacher under contract" As a result of this Special Provision, colleges can contract with a LEA for the LEA faculty to teach college level (Huskins Bill) courses to high school students and earn regular budget FTE consistent with the following stipulations:

1. Review and approval process for the courses offered shall be consistent with the Huskins Bill guidelines (note Manual on Cooperative Programs in N.C. High Schools and Community Colleges, 1997).
2. Courses offered must be of a college level, be in an appropriate program of study, and noted in the Common Course Library. Since Advance Placement courses are, in application, advanced high school courses and are not in the Community College common course library, it would not be consistent with the above legislation for a college to offer Advanced Placement courses.
3. The 1997 Special Legislation states "The contractual responsibilities of the high school teacher employed as an instructor do not supplant the regular classroom and teaching responsibilities of the teacher." Therefore, if a college contracts with a LEA to provide college level instruction during the normal high school working day, the course would have to be in addition to the teacher's regular teaching responsibilities and the teacher would have to receive additional financial compensation from the LEA through the contractual agreement. A statement from the LEA Superintendent or his designee documenting those courses provided by a community college are not supplanting existing programs must be available for review to denote that the supplanting issue has been

addressed.

With the addition of the 1997 Special Provision the options to provide Huskins Bill courses to high school students include the following:

- * As noted in the above explanation of the 1997 Special Provision, a college may contract with the LEA to provide instruction, consistent with the stipulations on page one, and the college will generate budget FTE. For student hour reporting purposes, these classes would be identified as "contracted classes" using the contracting code "O" with a "self-supporting" code of "2" indicating that this contracted instruction generates budget FTE. For consistency in reporting student hours, the above provision is made effective Summer Term, 1998 (all Huskins Bill classes which begin May 15 or later).
- * A college may contract with the LEA to provide instruction and the instruction may not meet stipulation (3) above. In this situation, the college would not generate budget FTE; however, as noted in the 1992 Special Legislation, the college could earn cost of the instructional contract plus 15% to cover administrative overhead. For student hour reporting purposes, these classes would be identified as "contracted classes" using the contracting code "O" with a "self-supporting" code "1" indicating that these classes do not generate budget FTE.
- * A college may offer Huskins Bill classes to high school students that are taught by college faculty and that generate regular budget/FTE.
- * A college may contract with qualified high school instructors on an individual basis to teach Huskins Bill courses which generate budget/FTE as long as the courses are offered after normal high school working hours.

Although not necessarily a Huskins Bill application, a college and the LEA may jointly hire an instructor in situations where neither institution could afford to hire an individual on a full-time basis, e.g., physics, and in this situation the individual could teach one-half time for both parties and the student hours in membership generated through the courses offered by the college could generate budget/FTE.

Please contact Bill Cole or Elizabeth Jones (919) 733-7051 if you have questions.

BC:EJ:pnm
Attachment

c: Chief Instructional Officers
Public Information Officers
System Office Vice Presidents

CC-98-084

ATTACHMENT<
DEPARTMENT OF PUBLIC INSTRUCTION
SPECIAL PROVISION

ADVANCED PLACEMENT TESTS

SECTION 8.11. (a) Advanced Placement tests are taken by many high school students who are seeking college credit for course work completed in high school. The Board of Governors of The University of North Carolina is encouraged to develop a standardized system of credit for the Advanced Placement test scores to ensure that college credit granted for Advanced Placement courses is equitable and predictable.

- (b) The Board of Governors of The University of North Carolina shall encourage the University system to assist the public school systems of the State to provide education for teachers who are instructors of Advanced Placement courses.
- (c) Notwithstanding any other provision of law, the State Board of Community Colleges shall allow a college to earn regular budget FTEs for a college level course taught to high school students even though the course instructor is a local high school teacher under contract, provided the following criteria are met:
 - (1) The course does not duplicate or supplant the Advanced Placement courses or the other college level course offerings of the high school.
 - (2) The contractual responsibilities of the high school teacher employed as an instructor for the course do not supplant the regular classroom and teaching responsibilities of the teacher.
 - (3) The State Board of Community Colleges is satisfied that the substance, quality, and level at which the course is taught merits it being considered a college level course.
- (d) The State Board of Education and the State Board of Community Colleges shall report to the Joint Legislative Education Oversight Committee by March 1, 1998, regarding the cooperative effort being made to encourage high school students to complete college general education courses through the community college system. The report shall include information about the curricula designed to encourage this effort, the number of students enrolled in college courses, and the fiscal impact of these efforts.