

ATT VI



CHE  
07/12/01  
Agenda item 3.02.F

**Commission on  
Higher Education**

Rayburn Barton  
Executive Director

July 12, 2001

**MEMORANDUM**

**To:** Mr. Dalton B. Floyd, Jr., Chairman, and Members, Commission on Higher Education

**From:** Ms. Dianne Chinnes, Chairman, Committee on Academic Affairs and Licensing

**Consideration of Annual Report on Compliance with the English Fluency Act in Higher Education FY 2000-2001**

**Background**

In 1991 the General Assembly passed the English Fluency in Higher Education Act. This Act required each public higher education institution to submit an annual report to the Commission, based upon a compliance plan that each institution had been required to develop. Under the law, the Commission was given the responsibility of developing and implementing policies and procedures consistent with the General Assembly's intent to ensure that faculty members at the public institutions in the State can communicate effectively even when English is not their first language.

In the language of the Act in Section (C)(2) each institution was required to submit as part of its compliance plan an assurance that there exists adequate procedure for students to report grievances concerning the inability of instructors to be understood in their spoken or written English. In Section (D)(2), the Act further requires that each institution must report annually the number of grievances filed by students under the provisions of (C)(2) and the disposition of those grievances.

On November 3, 1994, the Commission on Higher Education required that each institution of public higher education in South Carolina publish a clear, complete summary of the institution's policy on English Fluency in Higher Education *either* in both the catalog and student handbook *or* in the Academic

Section and the Student Affairs Section (for institutions with a unified publication) of the unified publication on campus policies.

At its meeting on November 2, 1995, the Commission further required that all institutions demonstrate for the current reporting year (i.e., in this case, the period beginning July 1, 2000, and ending with the conclusion of the Spring Semester 2001) that they are fully in compliance with the requirements regarding publication of the law's provisions in the Catalog and Student Handbook.

### Discussion

All institutions of public higher education had issued their reports to the Commission on Higher Education by May 31, 2001, for the recently completed academic year of 2000-2001. The data submitted in those reports show that 30 of the State's 33 public institutions are fully in compliance with the publication of the required student information under the law and Commission policy. For reasons listed on **Attachment 1**, the remaining three institutions were in partial compliance with the law.

Since the passage of the English Fluency Act in Higher Education by the General Assembly in 1991, the Commission has issued ten annual reports (including the current one) to the chairmen of the committees in the House and Senate with jurisdiction in educational matters. In all the previous nine reports a total of six student complaints had been received. In the current year's reports from the institutions no student grievance was reported at any of the thirty-three public institutions.

Given the minimal use of the law by the students, it appears that the public institutions have been highly accountable in the hiring and retention of faculty who are fluent in both written and oral English and who are able, therefore, to communicate well with their students for instructional and advising purposes. Students appear to be highly satisfied in all public institutions with the level of communication they are receiving from instructors whose first language is not English.

From the information supplied by the institutions during this academic year, faculty members whose first language is not English are apparently meeting the expectations of the General Assembly for their ability to communicate effectively with students.

**List of Institutions in “Partial Compliance” or “Indeterminate Compliance”  
with English Fluency Act in Higher Education, 2000-2001 Academic Year  
May 31, 2001**

<b>Institution</b>	<b>Reason</b>
Clemson University	Partial compliance. Only one statement (Catalogue); second statement accidentally omitted from student handbook. Will be included in student handbook for 2003 (sic).
USC-Beaufort	Partial compliance. The statement of policy was accidentally omitted from its academic Bulletin. Will be included in next printing of academic Bulletin.
Florence-Darlington Technical College	Partial compliance. Only one statement (Catalogue); second statement accidentally omitted from student handbook. Will be included in next printing of student handbook.