



SOUTH CAROLINA COMMISSION ON HIGHER EDUCATION

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MEMORANDUM

To: Mr. R. Austin Gilbert, Jr., Chairman, and Members,
Commission on Higher Education

From: Ms. Dianne Chinnes, Chair *DC:pm*
Committee on Academic Affairs and Licensing

Consideration of
English Fluency in Higher Education Act Report for FY 1998-99

Background

In 1991 the General Assembly passed the English Fluency in Higher Education Act. This Act required reports from each of the institutions to be submitted to the Commission, based upon a compliance plan which each institution had also to submit. 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 an 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 in the Catalog and the Student Handbook (at institutions with both publications or in the Catalog's Academic Section and the Catalog's Student Section at institutions with a unified publication.)

At its meeting on November 2, 1995, the Commission further required that all institutions must demonstrate for the current reporting year (i.e., in this case, the period beginning July 1, 1998, and ending with the conclusion of the Spring Semester 1999) 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 June 9, 1998, for the recently completed academic year of 1998-1999. All thirty-three public institutions have published their policy for the law in the two publications (or two sections of a unified publication) as stipulated in the Commission's policy and, thus, all are fully in compliance with the law and the Commission's regulations under the law.

Since the passage of the English Fluency Act in Higher Education by the General Assembly in 1991, the Commission has issued eight 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 seven reports a total of five student complaints had been received. In the current year's reports from the institutions, no student grievances were 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.

During this academic year, for the second year in a row since the passage of the law, all institutions are now fully in compliance both with the law and the Commission's policy and procedures under the law. It appears, therefore, that faculty members whose first language is not English are meeting the expectations of the General Assembly for their ability to communicate effectively with students.

Recommendations

The Committee on Academic Affairs and Licensing recommends that the Commission approve this report and transmit it expeditiously to the appropriate committee chairpersons of the General Assembly.

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