

STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

PROCEDURE

PROCEDURE NUMBER: 8-2-109.1

PAGE: 1 of 3

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TITLE: ENGLISH FLUENCY REQUIREMENTS FOR  
FACULTY EMPLOYMENT

POLICY  
REFERENCE NUMBER: 8-2-109

DIVISION OF  
RESPONSIBILITY: HUMAN RESOURCE SERVICES

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DATE OF LAST REVISION: May 13, 2010

**DISCLAIMER**

**PURSUANT TO SECTION 41-1-110 OF THE CODE OF LAWS OF SC, AS AMENDED, THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE SC STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION / THE SC TECHNICAL COLLEGE SYSTEM. THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION/THE SC TECHNICAL COLLEGE SYSTEM RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.**

I. General Information

A. Purpose

This procedure was developed to comply with policy 8-2-109 and the English Fluency in Higher Education Act (S.C. Code Ann. § 59-103-160). The purpose of this procedure is to define methods to ensure that all faculty assigned to full-time equivalent (FTE) positions and adjunct faculty, whose first language is other than

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# STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

## PROCEDURE

**PROCEDURE NUMBER:** 8-2-109.1

**PAGE:** 2 of 3

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English and who teach one or more credit courses, possess adequate proficiency in both the written and spoken English language and that student complaints regarding an instructor's English fluency are appropriately addressed.

B. Exclusions

This procedure does not apply to the following instructional settings: continuing education courses; student participatory and activity courses such as clinics, studios, and seminars; special arrangement courses, such as individualized instruction and independent study courses; courses designed to be taught predominantly in a foreign language; and, courses taught by visiting faculty.

II. Procedural Guidelines

- A. Applicants for permanent and adjunct faculty vacancies will proceed through the college's normal screening process with assessment based on standard job-related criteria to include perceived written and oral communication abilities.
- B. If an applicant becomes a finalist for a faculty position but his/her written or oral English proficiency is judged by the screening official(s) to require further evaluation, the applicant will be referred to an English Fluency Evaluation Committee, hereafter referred to as the committee. The committee will ensure that an English fluency evaluation is made on the basis of previously agreed upon criteria developed with faculty and student input. The applicant will be evaluated by the committee through the performance of at least the following minimum proficiency exercises:
1. Providing written response of at least one (1) page to an essay question concerning either teaching methods or the academic discipline.
  2. Conducting an oral instructional presentation related to the subject area, with at least half of the presentation using the lecture method.
- C. The function of the committee may be incorporated into an already established committee but shall at least include representatives from the English or Developmental Studies departments, the administration, the Office of Human Resource Services, as well as representatives of appropriate race and sex groups.

# STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

## PROCEDURE

**PROCEDURE NUMBER:** 8-2-109.1

**PAGE:** 3 of 3

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- D. The committee will ensure that appropriate procedures are used to provide a favorable environment for the exercises, as well as controls and security to ensure that the exercises completed by the applicant(s) are independent and original work. Candidates must be judged by committee consensus as proficient in both exercises prescribed in Section B above.
- D. Standardized tests or other proficiency testing instruments with validity relative to the position may be used only to corroborate the results of the minimum exercises prescribed in Section B above.
- E. Students with concern about a faculty member's ability to write and speak fluently in the English language, should utilize the Student Grievance Procedure.
- F. An instructor who is judged proficient by the committee will continue teaching assignments without any further action.
- G. An instructor assigned to a FTE position who is judged deficient by the committee will be given one academic semester to develop sufficient skill to be judged proficient by the evaluation committee. If during the term, the instructor has not shown evidence of satisfactory progress in overcoming the deficiency, disciplinary action may be taken, up to and including termination.
- H. Any adjunct instructor judged deficient by the committee may be immediately terminated.
- I. Each technical college shall develop institutional procedures in keeping with the policy and procedure herein and submit to the State Board for Technical and Comprehensive Education for concurrence.
- J. Each technical college will annually report to the State Board for Technical and Comprehensive Education the number and disposition of grievances filed by students under the provisions of this policy and any invocation of the fluency proficiency guidelines herein.