HORRY-GEORGETOWN TECHNICAL COLLEGE

# PROCEDURE

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| Number: | 3.1.14.1 |
| Related Policy: | 3.1.14 |
| Title: | English Fluency Requirements for Faculty Employment |
| Responsibility: | Vice President, Human Resources and Employee Relations |
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| Original Approval Date: | 05-23-2001 |
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President

**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 AGENCY.**

I. General Information

A. Purpose

This procedure was developed to comply with policy 3.1.14 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 current faculty, as well as candidates considered for employment and assignment to full-time equivalent (FTE) positions and adjunct faculty positions, whose first language is other than English and who are assigned to 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.

Exclusion: This procedure does not apply to the following instructional settings: continuing education courses; student participating 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 predominately in a Foreign Language; and courses taught by visiting faculty.

II. Procedural Guidelines for New Faculty Candidates

A. Candidates for FTE 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 candidate becomes a finalist for a faculty position but his/her own written or oral English proficiency is judged by the screening official(s) to require further evaluation, the candidate will be referred to an English Fluency Evaluation Committee, which is comprised of the Vice President for Academic Affairs; an English faculty, an faculty of Developmental Studies; and the Vice President, Human Resources and Employee Relations. 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 candidate 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. At least half of the presentation should use the lecture method.

C. The function of the committee may be incorporated into an already established committee but may include representatives from the English or Developmental Studies departments, the administration, the College human resources office, as well as representatives of appropriate race and sex groups. The committee will ensure that appropriate procedures are used to provide a favorable environment for the exercises, as well as controls the 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 “A” 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 B above.

III. Procedural Guidelines for Student Complaints

A. The Student Grievance Procedure should be used whenever concern exists about a faculty member’s ability to write and speak fluently in the English language.

~~B.~~ For each complaint, a covered instructor assigned to a FTE position who has a student complaint issued against them under this procedure, may be required to complete the proficiency exercises as stated in Section II.B above. Should the instructor then be judged deficient by the Committee, the issue will be addressed through procedure #

Faculty Performance Management System. An instructor who is judged proficient by the committee will continue teaching assignments.

C. Any probationary or adjunct instructor who has a student complaint issued against them under this procedure and thereby through proficiency exercises be judged deficient by the committee has a finding that he or she cannot perform an essential function of his/her position. Thus, appropriate action based on the type of position the instructor occupies may be taken.

D. The College will annually report to the State Board for Technical and Comprehensive Education a recap of grievances filed by students under the provisions of this policy and any invocation of the fluency proficiency guidelines herein.