

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Oral English Proficiency Program

Policy Number: 5.14

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/27/2015

Unit(s) Responsible for Policy Implementation: Provost and Vice President for Academic Affairs

Purpose of Policy (what does it do): Texas state law requires instruction at public colleges and universities be delivered in understandable English.

Reason for the addition, revision, or deletion (check all that apply):

- ☒ Scheduled Review ☐ Change in law ☐ Response to audit finding
☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Revisions include basic edits for clarification purposes.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Steve Bullard, Provost and Vice President for Academic Affairs
Damon Derrick, General Counsel

Oral English Proficiency Program

Original Implementation: September, 1990

Last Revision: ~~January 27, 2015~~ October 29, 2018

~~Legislation enacted by the Texas Legislature~~ Texas state law requires instruction at public colleges and universities to be delivered in understandable English. Each public institution is required to adopt a policy establishing a procedure to ensure that proficient English is spoken by all faculty members. "Faculty member" means a person who teaches a course offered for academic credit by an institution of higher education, ~~including teaching assistants, instructors, lab assistants, research assistants, lecturers, assistant professors, associate professors and full professors.~~ *It is the responsibility of academic deans and unit heads to monitor the English proficiency of current faculty and to address deficiencies where there is a need.*

A faculty member may use a foreign language to conduct foreign language courses designed to be taught in a foreign language. *Additionally, an exception will be allowed in cases of joint international programs where the course may be taught in the language of the visiting faculty member.* ~~A faculty member may also provide individual assistance during course instruction to a non-English speaking student in the native language of the student.~~

Enforcement

All persons applying for a position at the university that involves course instruction will be required to indicate on The New Employee Work Authorization Questionnaire whether English is their primary language. Aside from native speakers, an individual's primary language will be considered English if he/she completed an undergraduate or graduate degree at an accredited institution of higher education in the United States, not including U.S. Territories.

Newly hired faculty members, ~~as defined in this policy,~~ who do not identify English as their primary language ~~must~~ will demonstrate their oral proficiency in English through a two-part assessment:

1. ~~1. Pass an approved test of English proficiency (Internet-based test [IBT] Test of English as a Foreign Language [TOEFL] speaking score of 26, International English Language System [IELTS] speaking score of seven, or American Council on the Teaching of Foreign Languages [ACTFL] Oral Proficiency Interview score at advanced mid).~~
2. ~~2. Receive a rating of oral English proficiency~~ *Take and pass a locally administered interview-based speaking and listening assessment by a two-person team from the university's English Language Institute (ELI) through observation of a regularly scheduled class during the first two weeks of the initial academic term.*
- ~~Allow observation of a regularly scheduled class by a two-person team from the university's English Language Institute (ELI). The observation will occur during the first two~~

~~weeks of employment.~~

The *academic* unit head will place in the faculty member's employment file the results of these oral proficiency -performances. A copy of the English proficiency outcome will be forwarded to the appropriate dean.

Refusal by an individual to participate in any assessment of his/her academic English competency will result in appropriate action being taken by the university, up to and including termination of employment.

Faculty members who do not demonstrate proficiency in oral English will *be allowed one year* ~~be required~~ to complete successfully the *level four* Speaking and Listening course of the ELI program. Texas law requires the faculty member to bear the costs of the program. *Unsatisfactory performance in this course will result in appropriate action being taken by the university, up to and including termination of employment.*

Cross Reference: Tex. Educ. Code §51.917

Responsible for Implementation: Provost and Vice President for Academic Affairs

Contact for Revision: Provost and Vice President for Academic Affairs

Forms: ~~None~~ *New Employee Work Authorization Questionnaire*

Board Committee Assignment: Academic and Student Affairs