

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: 1/31/2017

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

Purpose of Policy (what does it do): This policy is a requirement by Texas state law ensuring all faculty members speak or write proficient english so their classes can be taught in 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: Eliminated the ELI program wording as that is no longer being used at SFA and the education code associated with this policy changed.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Academic Affairs Policy Committee
Lorenzo Smith, Provost and Executive Vice President for Academic Affairs
Damon Derrick, General Counsel

Oral-English Proficiency Program

Original Implementation: September, 1990

Last Revision: ~~October 29, 2018~~ January 30, 2023

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 that establishes a procedure to ensure that ~~that all faculty members speak or write~~ proficient English. ~~is spoken by all faculty members, including graduate teaching fellows/assistants.~~ "Faculty member," for the purpose of this policy, means a person who teaches a course offered for academic credit by an institution of higher education; ~~this individual would be any instructor of record and includes adjuncts and graduate teaching assistants.~~ This faculty member definition excludes all librarian ranks. It is the responsibility of academic deans and unit heads to monitor the English proficiency of incoming and current faculty and to address deficiencies where there is a need. The written request for employment contract for these faculty members will bear the following administrative endorsement: "I attest that the English language proficiency of the candidate has been considered, and the candidate is qualified to fill this position."

An exception to this policy may occur when a faculty member ~~may~~ uses 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.

~~During the search process for instructional positions, or during the appointment of temporary faculty members (e.g., adjuncts, visiting positions, or graduate teaching assistants), faculty, academic unit heads, and/or deans will assess the candidate's written English language proficiency during the review of application materials. The academic unit heads and/or deans will further assess the candidate's oral English language proficiency during interviews, the presentation of scholarship or creative activity, and/or the teaching demonstration. As appropriate, during hiring processes for permanent positions, using the approved applicant review matrix may be used to assess English proficiency. , and will assess the candidate's oral English language proficiency during interviews, the research presentation, and/or the teaching demonstration, using the approved feedback form. This written feedback form from faculty and administrators wwill include an assessment of the oral English language proficiency. The written request for employment contract for these faculty members will bear the following administrative endorsement: "I attest that the English language proficiency of the candidate has been considered, and the candidate is qualified to fill this position."~~

~~Further, Each written request for the employment contract for instructional personnel will bear the following endorsement from the academic unit head and from the academic dean: "I attest that this candidate's English language proficiency has been considered as to his/her English oral and written language proficiency and is qualified to fill this position vacancy."~~ All persons applying/hired for instructional positions 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 is considered proficient in the 's primary language will be also considered English language 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. Faculty members who indicate their primary language other than English may be required to demonstrate proficiency in English by passing a formal assessment (e.g., Internet-based test [IBT] Test of English as a Foreign Language [TOEFL] speaking score of 26, or with an International English Language System [IELTS] speaking score of seven).~~

~~Newly hired faculty members who do not identify English as their primary language must receive endorsement of proficiency from the academic unit head and from the academic dean. The Each written request for the employment contract for these faculty members instructional personnel will bear the following administrative endorsement: from the academic unit head and from the academic dean: "I attest that the this candidate's English language proficiency of the candidate has been considered, as to his/her English oral and written language proficiency and the candidate is qualified to fill this position vacancy."~~

~~When Should it is be determined by the chair or dean that there is a concern with the a continuing faculty member's oral and/or written English, as evidenced by student and/or faculty comments, the faculty member may also be required to -~~

~~demonstrate proficiency in English by passing a formal assessment (e.g., Internet-based test [IBT] Test of English as a Foreign Language [TOEFL] speaking score of 26, or with an International English Language System [IELTS] speaking score of seven). demonstrate their oral proficiency in English through a two-part assessment:~~

- ~~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). If a chair or dean concludes that a faculty member's teaching effectiveness is seriously diminished by English language deficiencies, the dean or chair shall require the faculty member to take a personalized short course or developmental program as approved by the Board/Office of Human Resources to remediate those deficiencies. -~~
- ~~2. Receive a rating of oral English proficiency 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.~~

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

Faculty members who do not demonstrate English proficiency will be allowed one year to successfully complete a personalized short course or development program to remediate those deficiencies. With the approval of the academic unit head and dean, additional time to remediate deficiencies is possible. 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 dismissal from employment.

~~Refusal by the faculty member an individual to participate in any English language assessment, reassessment, and/or prescribed tutorial program of his/her academic English competency proficiency will may result in loss of teaching credit-bearing courses or dismissal from employment with the University. 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 to complete successfully complete the level four Speaking and Listening course of the ELI programa personalize short course or development program to remediate those deficiencies. 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 *Executive* Vice President for Academic Affairs

Contact for Revision: Provost and *Executive* Vice President for Academic Affairs

Forms: *Request for Contract*; New Employee Work Authorization Questionnaire

Board Committee Assignment: Academic and Student Affairs

Revision History: October 29, 2018
 January 27, 2015
 October 12, 2009