



**South Carolina Code of Laws
(Unannotated)
Current through the end of the 2007 Regular Session**

Title 59 - Education

STATE COMMISSION ON HIGHER EDUCATION

SECTION 59-103-160. English Fluency in Higher Learning Act.

(A) This section may be cited as the English Fluency in Higher Learning Act.

(B) The following words and phrases when used in this section have the meanings given to them unless the context clearly indicates otherwise:

"Instructional faculty" means every member of a public institution of higher learning whose first language is not English, other than visiting faculty but including graduate teaching assistants, who teaches one or more undergraduate credit courses at a campus of that institution within this State except:

- (1) courses that are designed to be taught predominately in a foreign language;
- (2) student participatory and activity courses such as clinics, studios, and seminars;
- (3) special arrangement courses such as individualized instruction and independent study courses; and
- (4) continuing education courses.

(C) Each public institution of higher learning shall establish policies to:

(1) ensure that the instructional faculty whose second language is English possess adequate proficiency in both the written and spoken English language. Student and faculty input is required in establishing these policies.

(2) provide students with a grievance procedure regarding an instructor who is not able to write or speak the English language.

(D)(1) Each institution of higher learning must submit its policy or amendments to the Commission on Higher Education within six months from the effective date of this section. Any amendments to the policy must be promptly forwarded to the commission. The commission shall notify the chairmen of the Senate and House Education Committees of those institutions not submitting plans and any amendment to the commission.

(2) Each institution of higher learning must report annually to the Commission on Higher Education and the chairmen of the Senate and House of Representatives Education Committees grievances filed by students under the requirement of subsection (C)(2) and the disposition of those grievances.