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BILL ANALYSIS

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Senate Bill 518 (as reported without amendment)**Sponsor:** Senator Joe Conroy**Committee:** Education and Mental Health**Date Completed:** 1-26-88**RATIONALE**

Some people report that, in recent years, there has been an increase in the number of graduate students whose native language is not English and who are working as classroom teaching assistants in Michigan colleges and universities. While most teaching assistants generally are knowledgeable in the subject areas that they teach, many apparently do not have a strong grasp of the English language. Many students relate stories of frustration related to their failure to understand a teaching assistant's instruction. Some people feel that the lack of proficiency in the English language exhibited by these teaching assistants is hindering students' education, and that, because adequate communication is essential to the learning process, students are losing an opportunity to perform well academically. Proponents of this view feel that English language instruction and proficiency testing should be required of teaching assistants before they are permitted to engage in classroom instruction.

CONTENT

The bill would create a new act to require the governing board of a higher education institution to establish a program to assess the oral English language proficiency of all teaching assistants at the institution. No later than the start of the 1988-89 academic year, the governing board would be required to ensure that teaching assistants who were not orally proficient in the English language attained proficiency before providing classroom instruction to students.

"Governing board" would mean a board of regents, trustees, or governors; board of control; or, other governing body of a higher education institution. "Institution of higher education" would mean a State-supported college, university, community college, or junior college. "Teaching assistant" would mean a student who was enrolled full-or part-time in a graduate degree program at a higher education institution for which the student served as a classroom instructor.

FISCAL IMPACT

The bill would have an indeterminate impact on State government and no fiscal impact on local government. The bill could result in increased costs for higher education institutions which utilize graduate teaching assistants. The bill would require each higher education institution to assess the English language oral proficiency of all of its teaching assistants and to ensure attainment of such proficiency if the need exists. These requirements could result in additional costs for some schools, depending on the number of graduate teaching assistants at each institution and the magnitude of the proficiency problem.

During 1986, of the 15 public four-year universities in Michigan, those with the largest number of graduate

teaching assistants were Michigan State University (MSU), the University of Michigan (U of M), and Wayne State University (WSU), as illustrated below:

	Total No. Grad. Teaching Assistants	No. of Foreign-Nat'l Teaching Assistants
MSU	1,209	334
U of M	1,754	437
WSU	509	242

ARGUMENTS**Supporting Argument**

Teaching assistants generally are assigned to undergraduate classes, where students, especially freshmen, are adjusting to their new educational environment. Those teaching assistants who do not speak English clearly and are unable to communicate effectively with students present an impediment to learning for students whose primary language is English. To receive the full benefits of a higher education, students and instructors must be able to communicate openly and clearly. Situations in which such communication falters lead to frustration and discouragement for the student and instructor.

Supporting Argument

As of 1985, more than half of the doctoral students in engineering at American universities and approximately one-third of the doctoral candidates in mathematics were foreign-born. The percent of foreign doctoral students in many engineering fields has more than doubled in over a decade, according to the National Science Foundation. One reason for the growing presence of foreign doctoral students is that many American students are moving directly into jobs after earning a bachelor's or master's degree instead of pursuing doctorates in these fields. Thus, many academic positions are open to foreign students who are eager to come to universities in the United States to receive technological training. While many of these teaching assistants are intellectually qualified and knowledgeable in their subject areas, they have difficulty communicating in English with their students. Furthermore, these teaching assistants face cultural differences, especially in understanding how American students regard their instructors. In many Asian countries, for example, the instructor is to be revered, and students do not ask questions so as not to be disrespectful. Yet, American students are encouraged to question their teachers.

Response: Senate Bill 518 would require that teaching assistants be orally proficient in the English language, and that higher education institutions establish programs to assess this proficiency. The bill would not mandate that these programs assist teaching assistants in adapting to the American higher education system.

OVER

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Supporting Argument

College teaching assistants should be expected to have a strong grasp of the English language. If a student enrolls at a school where the primary language is not the student's native language, that student is expected to have an understanding of the language of instruction. Teaching assistants should be subject to the same expectation.

Supporting Argument

Students pay a great deal of money for what they expect to be quality instruction when they enroll in a college or university course. Often, however, students feel that they are being cheated because teaching assistants are unable to relate the course material clearly. Often, students end up receiving poorer grades than expected in classes taught by foreign teaching assistants, thereby falling behind in their academic progress. Others resort to re-enrolling in a class (and paying tuition again) in order to pursue a better grade.

Opposing Argument

While it is acknowledged that there are teaching assistants working in colleges and universities throughout the State who are not proficient in the English language, passing a law to solve the problem is not necessary. Colleges and universities in the State either have initiated or are planning programs to assist foreign teaching assistants. Michigan State University, for example, has conducted an orientation program for two years. Other higher education institutions in the State evaluate or test potential teaching assistants.

Response: While many institutions may have begun to address the problem by evaluating and helping teaching assistants with their English skills, the bill would ensure the survival and the continued importance of these kinds of programs.

Opposing Argument

The bill would address only one category of instructors used by higher education institutions—teaching assistants. The scope of the bill should be broadened to include additional categories, such as instructors and other faculty members.

Response: It is not clear whether broadening the scope of the bill would affect instances in which a university, for example, might invite a visiting professor from another country to teach a highly specialized course. If all faculty had to be tested for English proficiency, students might not get the opportunity to attend lectures by visiting professors who are considered esteemed members in their particular field of expertise.

Opposing Argument

The bill is not strong enough to have any effect on the situation. The extent of the program to be implemented is not defined. The bill includes no complaint process for students to utilize. In addition, if the situation is as bleak as some students claim, perhaps there should be a system of oversight for evaluating a teaching assistant's overall performance.

Opposing Argument

Because the State Constitution grants largely autonomous powers to institutions of higher education, some claim that the Legislature does not have the authority to require colleges and universities to implement the type of program specified in the bill. A more appropriate avenue would be to draft a resolution asking institutions to comply. Furthermore, the bill could interfere with the employment practices at colleges and universities. Governing boards at higher education institutions currently are authorized to employ persons based on qualifications established by the individual boards.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.