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BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

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**Senate Bill 518 (Substitute S-1 as passed by the Senate)****Sponsor: Senator Joe Conroy****Committee: Education and Mental Health****Date Completed: 3-28-88**

MICHIGAN STATE UNIVERSITY

**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, no later than the start of the 1988-89 academic year, the governing board of a higher educational institution to ensure that each instructor who was 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 educational institution. "Institution of higher education" would mean a State-supported college, university, community college, or junior college. "Instructor" would mean a teaching assistant, except those teaching a foreign language, who provided classroom instruction to students enrolled full-time or part-time in a higher educational institution. "Instructor" would not include a visiting scholar to the institution.

**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 educational institutions which utilize graduate teaching assistants. The bill would require each higher educational institution to assess the English language oral proficiency of all of its teaching assistants (except those teaching a foreign language) 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. GRADUATE 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 instructors be orally proficient in the English language, and that higher

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educational institutions ensure that each instructor, who was not orally proficient in English, attained this proficiency. The bill would not mandate that these programs assist teaching assistants in adapting to the American higher educational system.

### ***Supporting Argument***

College instructors 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. Instructor 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 educational 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 is not clear as to the individuals to whom it would apply. In attempting to explain who would be affected if the bill were enacted, the term "instructor" is defined as a "teaching assistant". Both positions of "instructor" and "teaching assistant" are separate positions within the academic hierarchy at some higher educational institutions. Thus, there could be some confusion in applying the bill at various schools across the State.

### ***Opposing Argument***

Under the bill, higher educational institutions would have to ensure that instructors were orally proficient in English and, if not, that they attained this proficiency. While it may be argued that the bill purposely is broad in not specifying the actions an institution should take to ensure proficiency, so institutions would have the liberty to select the most appropriate program, the bill actually is too vague and would not be strong enough to improve the situation. The bill also does not include a 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 educational 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.