Model Legislation

Section 1. (Short Title)

“This act may be cited as the Act to Ensure English Fluency Among Lecturers in State Institutions of Higher Education”

Section 2. (Legislative Declarations)

(A) The legislature hereby finds and declares that the State, through its systems of post-secondary colleges and universities, should pursue the goal of a populace educated at the high standards necessary to meet the challenges of the 21st century, and

(1) That students matriculating in our state’s colleges and universities should be able to expect excellence in education and quality in their instruction, and

(2) That because of the increasing competitiveness of the world economy, students have an ever growing demand for the highest standards in instruction, and

(3) That communication is crucial for imparting knowledge, the ability of students and their instructors to engage in discussions and conversations should be a given, and

(4) The inability of the student to readily understand the spoken language of the instructor precludes the exchange of knowledge that is the essence of the higher education environment, and

(5) That the expectation of students to be able to address questions to an instructor and to receive understandable answers to those questions represents a consumer right, a civil right, and an educational imperative.

Section 3. (Definitions)

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

“Board:” The State Board of Education.

“Department:” The Department of Education of the State.

“Instructional faculty:” Every member of an institution of higher education, other than visiting faculty, but including graduate teaching assistants, who teaches one or more credit courses at a campus of that institution except: (1) courses that are designed to be taught predominately in a foreign language; and (2) elective, special arrangement courses such as individualized instruction and independent study courses.

State institution of higher education: any institution of post secondary education owned or operated by the state, any of its departments or authorities or any government unit or school district or special district established under the constitution or laws of the state.

Section 4. (Main Provisions)

(A) Evaluation of fluency. Each state institution of higher education shall evaluate its instructional faculty for oral, aural, and written fluency in the English language; provides for certifications as to that fluency; imposing penalties; and conferring powers and duties upon the State Board of Education.

Summary

This Act requires state institutions of higher education to evaluate their instructional faculties for oral, aural, and written fluency in the English language; provides for certifications as to that fluency; imposing penalties; and conferring powers and duties upon the State Board of Education.

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English Fluency Among Lecturers in State Institutions of Higher Education Act

Did you know that an online for-profit school company was the corporate co-chair in 2011?
English language, as provided in section 1 (preceding page).

(C) Noncompliance. If an institution of higher education operating in this State does not comply with this act, the Secretary of Education shall impose a reduction in state funding of $10,000 for each course taught by an uncertified faculty member, as provided for in sections 1 and 2 (preceding page).

(D) Regulations. The Board shall promulgate regulations to implement this act.

(E) Right of Action. Any citizen shall have standing to bring an action against the State to enforce this act. The State Courts shall have jurisdiction to hear and decide any such action brought under this section.

Section 5. {Severability Clause}

Section 6. {Repealer Clause}

Section 7. {Effective Date}