

1 "Instructional faculty." Every member of an institution of
2 higher education, other than visiting faculty BUT INCLUDING <—
3 GRADUATE TEACHING ASSISTANTS, who teaches one or more
4 undergraduate credit courses at a campus of that institution
5 within this Commonwealth except:

6 (1) such courses that are designed to be taught
7 predominately in a foreign language;

8 (2) student participatory and activity courses such as
9 clinics, studios, seminars and laboratories;

10 (3) special arrangement courses such as individualized
11 instruction and independent study courses; and

12 (4) continuing education courses.

13 Section 3. Evaluation of fluency.

14 Each institution of higher education operating in this
15 Commonwealth shall evaluate its instructional faculty for
16 fluency in the English language in the classroom. Such fluency
17 shall be evaluated using varied and appropriate criteria, such
18 as personal interviews, peer, ALUMNI and student observations <—
19 and evaluations, publications, professional presentations, tests
20 or any other appropriate criteria which effectively evaluates
21 such fluency.

22 Section 4. Certification.

23 By September 1 of each year, each institution of higher
24 education operating in this Commonwealth must file with the
25 department a certification stating that the instructional
26 faculty members hired either since the effective date of this
27 act or hired subsequent to the last annual certification are
28 fluent in the English language, as provided in section 3.

29 Section 5. Noncompliance.

30 If an institution of higher education operating in this

1 Commonwealth does not comply with section 4, the Secretary of
2 Education may impose a \$10,000 penalty for each course taught by
3 an uncertified faculty member, as provided for in sections 3 and
4 4.

5 Section 6. Regulations.

6 The board shall promulgate regulations to implement sections
7 4 and 5.

8 Section 7. Effective date.

9 This act shall take effect in 60 days.