

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Representative Rice**

# A Bill

**HOUSE BILL**

## For An Act To Be Entitled

8 "AN ACT REQUIRING INSTITUTIONS OF HIGHER EDUCATION TO  
9 EVALUATE THEIR FACULTIES FOR FLUENCY IN THE ENGLISH  
10 LANGUAGE; PROVIDING FOR CERTIFICATIONS AS TO THAT FLUENCY;  
11 CONFERRING POWERS AND DUTIES UPON THE STATE BOARD OF  
12 HIGHER EDUCATION; AND FOR OTHER PURPOSES."

13  
14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

15  
16 SECTION 1. Short Title. This Act shall be known and may be cited as  
17 the "English Fluency in Higher Education Act."

18  
19 SECTION 2. Definition. When used in this Act the term "instructional  
20 faculty" means every faculty member of an institution of higher education,  
21 other than visiting faculty but including graduate teaching assistants, who  
22 teaches one or more undergraduate credit courses at a campus of that  
23 institution within this State except:

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

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

28 (3) special arrangement courses such as individualized  
29 instruction and independent study courses; and

30 (4) continuing education courses.

31  
32 SECTION 3. Evaluation of fluency. Each institution of higher education  
33 operating in this State shall evaluate its instructional faculty for fluency  
34 in the English language in the classroom. Fluency shall be evaluated using  
35 varied and appropriate criteria, such as personal interviews, peer, alumni and

1 student observations and evaluations, publications, professional  
2 presentations, tests or any other appropriate criteria which effectively  
3 evaluates such fluency.

4

5 SECTION 4. Certification. By September 1 of each year, each  
6 institution of higher education operating in this State must file with the  
7 Department of Higher Education a certification stating that the instructional  
8 faculty members hired either since the effective date of this Act or hired  
9 subsequent to the last annual certification are fluent in the English  
10 language, as provided in Section 3.

11

12 SECTION 5. Regulations. The State Board of Higher Education shall  
13 promulgate regulations to implement this Act.

14

15 SECTION 6. All provisions of this Act of a general and permanent nature  
16 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
17 Revision Commission shall incorporate the same in the Code.

18

19 SECTION 7. If any provision of this Act or the application thereof to  
20 any person or circumstance is held invalid, such invalidity shall not affect  
21 other provisions or applications of the Act which can be given effect without  
22 the invalid provision or application, and to this end the provisions of this  
23 Act are declared to be severable.

24

25 SECTION 8. All laws and parts of laws in conflict with this Act are  
26 hereby repealed.

27

28

29

30

31

32

33

34

35

