

SECOND REGULAR SESSION

SENATE BILL NO. 875

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KINDER.

Read 1st time January 20, 2000, and 1,000 copies ordered printed.

4056S.011

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapter 170, RSMo, by adding thereto one new section relating to higher education instructional quality.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 170, RSMo, is amended by adding thereto one new section, to be known as section 170.016, to read as follows:

170.016. 1. Each state educational institution, as defined in section 176.010, RSMo, shall evaluate each member of its instructional faculty for oral, aural and written fluency in the English language in the classroom. Such fluency shall be determined by a national test of English language proficiency approved by the coordinating board for higher education.

2. No classroom course or other classroom instructional program offered by a state educational institution shall be taught by a faculty member who has not been evaluated under subsection 1 of this section or by a faculty member who has not passed such evaluation.

3. On or before September first of each school year, each state educational institution shall provide in writing, to the coordinating board for higher education, certification that all instructional faculty members of the institution hired on or after the effective date of this section or the date the most recent certification was filed with the coordinating board, whichever is later, have been evaluated for classroom English fluency, as provided in subsection 1 of this section, and that all such faculty members have passed the evaluation. To the extent practical, the coordinating board shall ensure that reporting requirements under this subsection are coordinated with reporting requirements under subsection 4 of section 170.012, to reduce the amount of paperwork and number of required reports. 4. Any institution which violates

subsection 2 of this section shall have its state aid appropriation reduced by ten thousand dollars for each course or instructional program taught in violation of subsection 2 of this section.

5. For the purposes of this section, "instructional faculty member" shall include any faculty member or graduate teaching assistant, except for a visiting faculty member, who teaches one or more credit courses, at one or more campuses of that institution, excluding courses which are designed to be taught primarily in a foreign language and elective, individual instruction and independent study courses.

6. Any citizen of the state shall have standing to bring an action against the state to require enforcement of this section. Such action may be brought in any circuit court in which one or more campuses of the affected institution are located.

7. The coordinating board for higher education shall, on or before April 1, 2001, promulgate rules to administer and enforce this section.

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