least 50 students at the time the check instructor is designated.

The check instructor would be required to meet certain minimum criteria and be approved by the FAA FSDO that has jurisdiction over the school. For checks and tests that relate to either flight or ground training courses, a check instructor would be required to have passed an oral test given by the chief instructor on: (1) Teaching methods; (2) the applicable provisions of the "Airman's Information Manual," parts 61, 91, and 141; and (3) the objectives and course completion standards of the approved training course for the designation sought.

A person who desires to become a check instructor for tests and checks that relate to a flight training course would be required to: (1) Hold a commercial pilot certificate or an ATP certificate; (2) hold a current flight instructor certificate with category and class ratings appropriate to the designation sought; (3) hold the appropriate instrument rating for the training course, if required; (4) hold at least a current second-class medical certificate, if the course is for a rating in an aircraft other than a glider or balloon; (5) present a signed and dated statement by the person certifying that the person has no known medical defects that make the person unable to pilot a glider or balloon, if the course is for a rating in a glider or balloon; (6) meet the PIC recent flight experience requirements of § 61.57; and (7) pass a flight test, given by the chief instructor, on the flight procedures and maneuvers of the approved training course for the designation sought. A person who desires to become a check instructor for tests and checks that relate to ground training courses would be required to hold a current ground instructor certificate with category and class ratings appropriate to the designation sought.

Commenters to NPRM No. 89–14, in which the FAA proposed to reduce the experience criteria for chief and assistant chief instructor candidates, noted that such actions enhance the status of instructors by permitting them to apply for a supervisory position earlier in their careers. The proposed check instructor position would permit instructors to apply for supervisory positions and to be given increased responsibility.

The proposal to establish the check instructor position would help the FAA clarify to whom a chief instructor can designate the authority to conduct student stage checks, end-of-course tests, and instructor proficiency checks. The FAA would also eliminate the term

"designated assistant." During the public hearings, commenters noted that the term is interpreted differently. Under the proposed revisions to §§ 141.79, 141.81, and 141.85, the chief instructor, assistant chief instructor, or check instructor would give instructor proficiency checks, stage checks, and end-of-course test.

3. Quality of Training Requirements

In response to comments provided at the public hearings, the FAA proposes to clarify the existing requirements for a pilot school to apply for and to maintain a pilot school certificate.

Current § 141.63 requires a pilot school that applies for examining authority in a particular course to demonstrate that 9 of the 10 most recent graduates of that particular course had passed an interim or final test on the first attempt.

Current § 141.83 requires that each holder of a provisional or pilot school certificate provide a high enough quality of training so that at least 8 out of the 10 of the school's students or graduates that were most recently tested, by an FAA inspector or designated pilot examiner, passed an interim or a final test on the first attempt.

Commenters at the public hearings noted that the existing requirement for a specific number of students to pass an interim or stage check may reduce a school's ability to monitor student and instructor performance. For example, the commenters noted that these interim or stage checks are used to: (1) Evaluate a student's performance; and (2) ensure that instructors train students according to the school's procedures and performance standards. The commenters stated that the quality of training criteria should be based on experience with the students who have completed a training course, not students who are enrolled in a training course. Some commenters even noted that, under this requirement, pilot schools would not be able to develop tests that exceed the standards set in the PTS. Other commenters noted that the existing regulations have been interpreted to mean that the requirement for the 10 most recent students to pass any test on the first attempt must be met continuously. For example, if two students in a row failed a test, the school may risk losing its examining authority.

The FAA has determined that a pilot school should be permitted to evaluate its own students and instructors throughout the training course without jeopardizing the school's certificate or examining authority. Therefore, the FAA proposes to revise the current

regulation on the number of students who are required to pass the practical or knowledge test and to eliminate the requirement for interim tests to be used to evaluate a school's quality of training. The number of students who pass the practical test would apply to training courses that require the applicant to pass a practical test to obtain a certificate or rating. The number of students who pass the knowledge test would apply to ground training courses.

Proposed § 141.63 would require 90 percent of the graduates of a flight course, in which the school desires to obtain examining authority or retain examining authority, to pass a final test given by an FAA inspector, or by a designated examiner who is not an employee of the school, on the first attempt. Under this proposal if 40 students graduate from an approved course, but only 10 of those students receive a final test given by an FAA inspector, or by a designated examiner who is not an employee of the school, then 90 percent of those 10 students would have had to have passed the test on the first attempt. The 90 percentage would be applicable for the 24-calendar months duration period of the school's examining authority. If the school only conducts ground school courses, then at least 90 percent of the school's students must have passed the required knowledge test given by the FAA, or by a designated examiner who is not an employee of the school.

The FAA proposes similar revisions to §§ 141.5, 141.27, 141.55 and 141.83. These revisions would require that an applicant seeking approval or renewal of a training course have at least 80 percent of their graduates from the course to have passed the practical test on the first attempt. The 80 percent is not required to be based on all students, but only on those students who take the practical test given by an FAA inspector, or by a designated examiner who is not an employee of the school.

4. Temporary Chief Instructor

The FAA proposes to revise § 141.87, "Change of chief instructor," to allow the assistant chief instructor to act in the capacity of the chief instructor for 60 days and to permit the assistant chief instructor or check instructor to perform stage and end-of-course tests.

The current rule requires that, pending designation and approval of a new chief instructor, each stage and end-of-course test be given by an FAA inspector or a designated pilot examiner. Commenters at the public hearings noted that this requirement could be an administrative burden to