

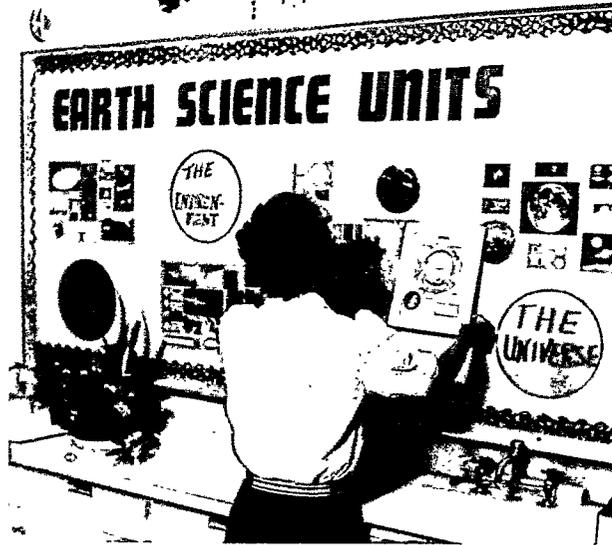
# Out-of-Field Teaching Update — In-State and Nationwide

by Alison Gray

In November of 1981, the N.C. Center for Public Policy Research released a report, "Teacher Certification: Out-of-Field Teaching in Grades 7-12." The study, which included statewide data broken down into local school districts, revealed extensive out-of-field teaching throughout the state in eight subjects — reading (60 percent of the teachers, statewide, not certified for reading), math (37 percent), science (30 percent), health (24 percent), English (23 percent), social studies (17 percent), physical education (16 percent), and foreign languages (9 percent). These findings triggered a full-scale investigation by the daily press. Fifty-six different papers covered the Center's report in 133 articles and 24 editorials and columns. "Out-of-field" teaching was fast becoming a household term.

Despite the Center's report and the press attention that followed, the problem has persisted. In the late summer of 1981, the Division of Certification within the Department of Public Instruction (DPI) proposed new certification standards for North Carolina teachers. At a hearing on the Division's tentative proposals, held on August 28, 1981, N.C. Center Director Ran Coble released the preliminary findings of the Center's report in an effort to support the need for rules prohibiting out-of-field teaching and to highlight some of the strengths and weaknesses in the DPI proposals. A summary of the Center's recommendations to DPI appeared in the December 1981 issue of N.C. Insight (Vol. 4, No. 4).

State regulations regarding teacher certification must be approved by the State Board of Education, which functions closely with, but independent of, the Department of Public Instruction. During its fall 1981 meetings, the State Board did not approve regulations that prohibited out-of-field teaching. This delay gave the DPI's Division of Certification a chance to revise its proposals three times and incorporate some of the Center's recommendations. But the holdup also meant that



out-of-field rules were not in place during the 1982-83 school year.

Aware of the delays and of other findings of extensive out-of-field teaching in math and science — made by the Advisory Committee on Science and Mathematics Education of the Board of Science and Technology, the Division of Science within DPI, and by Robert Williams of the North Carolina State University's School of Education — the N.C. Center for Public Policy Research took its efforts one step further. In the summer of 1982, the Center undertook a survey and review of the teacher certification statutes and rules in all 50 states.

The article and sidebar below update the out-of-field teaching controversy and summarize the results of the Center's national survey. This year, the Center will release a full report on teacher certification, which will include the statewide and local district data released in late 1981 and the newly available nationwide data. To order copies of this full report, use the enclosed card (cost is \$8.00).

Quality education requires competent teachers who are prepared specifically for the courses they are teaching. Thirty-five states, including 10 in the South, reflect this fundamental principle through statutes and/or regulations that prohibit out-of-field teaching. North Carolina, like 14 other states, has neither a statute nor an administrative regulation prohibiting teachers from being assigned to a subject in which they have no training. (See box on pages 34-35 for more information on certification in the other 49 states.)

North Carolina, like every other state, does require that a person be certified before teaching

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Alison Gray, a law student at the University of North Carolina at Chapel Hill, was an intern at the N.C. Center for Public Policy Research during the summer of 1982. Photos by Gene Dees.

# **A Bill to be Entitled**

## **AN ACT TO PROHIBIT OUT-OF-FIELD TEACHING IN NORTH CAROLINA**

Whereas, studies by the Advisory Committee on Science and Mathematics Education of the Board of Science and Technology, the Division of Science within the Department of Public Instruction, and the North Carolina Center for Public Policy Research have shown that teachers in grades 7-12 of North Carolina's schools are teaching subjects in which they are not certified; and

Whereas, thirty-five states in the United States have statutes or administrative regulations prohibiting out-of-field teaching and North Carolina is one of only fifteen states without such protections; and

Whereas, the Department of Public Instruction proposed rules for adoption by the State Board of Education in September 1981 that would address the out-of field teaching problem and the Board has failed to act in the last fourteen months; Now, therefore, The General Assembly of North Carolina enacts:

Section 1. Chapter 115C of the General Statutes is amended by adding new sections to read as follows:

**“§115C-297.1. Teachers Required to Teach Subjects In Which Certified. —**

(a) Superintendents of local school administrative units shall assign teachers at the levels and in the subjects for which the certificates of the teachers are endorsed.

(b) The State Superintendent of Public Instruction may permit a district to assign a teacher to part-time duties for which he or she is not properly certified or endorsed without penalty, provided all of the following conditions are met:

(1) The duties may comprise no more than 1/5 of the teacher's full-time daily class schedule;

(2) The misassigned persons must have a minimum of six semester hours of college credit in each subject area in which service is rendered;

(3) The persons misassigned must comprise no more than five percent of the total number of district's certified full-time teachers, or five teachers, whichever is greater;

(4) The district must demonstrate that it has made a good faith effort to employ properly certified teachers for those duties and that a good faith effort is being made to remedy each specific assignment problem; and

(5) No teacher may be allowed to teach at a grade level or in a subject for which he or she is not certified for more than one school year.

(c) The State Board of Education shall have the authority to promulgate rules and regulations to enforce this provision.

**§115C-297.2. Local Superintendents to Report to State Department. —** Each superintendent of local school administrative units shall have a duty to report by December 1 of each school year to the State Superintendent the number of teachers who are teaching subjects in which they have no certification. The State Superintendent shall collect this data in an annual statewide report and make it available to the public.

**§115C-297.3. Penalty for Violation of In-Field Assignment Provision. —** Local school districts which are found to have more than five percent or five teachers, whichever is greater, teaching subjects in which they are not certified shall be placed on probation for one year by the State Board of Education. School districts which violate this provision for two consecutive years shall have their allotments from the State Public School Fund reduced in the following manner: Every child in a class taught by a misassigned teacher will not be counted in the district's overall average daily membership figures for the purpose of obtaining state money under the State Public School Fund.”

Section 2. This act shall become effective August 1, 1983. ■

in the public schools. However, the state does not require that an individual be certified in a particular subject in order to teach it. As a result, principals and superintendents have routinely assigned teachers outside their certificate areas and, in many cases, have left teachers in those out-of-field assignments permanently. While certification in the subject being taught cannot alone ensure competent instruction, it can at least provide some method of upgrading the quality of public education.

Each year, some 12,000 school personnel in the state are certified or recertified. Certification

usually comes from completing an approved teacher training program at one of the 15 public or 29 private institutions in the state with teacher training programs. Recertification comes through completing six semester hours or nine quarter hours of college credit or its equivalent (through in-service programs) every five years. Certification or recertification is awarded in specific areas of specialization such as early childhood, intermediate education (grades 4-9), special areas (speech therapy, occupational, etc.), and secondary areas (math, science, reading, etc.).

Before 1968, the N.C. Department of Public

## In Nationwide Survey — North Carolina Ranks in Bottom Third in Prohibiting Out-of-Field Teaching

During the summer of 1982, the N.C. Center for Public Policy Research sought to determine the extent of out-of-field teaching allowed in other states. The Center developed a written survey and sent it to education officials in all 50 states. The survey contained four questions:

1) Does your state have a *law* requiring teachers to be certified?

2) Does your state have *rules and regulations* regarding teacher certification?

3) Does your state have a *law* requiring teachers to teach only in the fields in which they are certified? and

4) Does your state have *rules and regulations* requiring teachers to teach only in fields in which they are certified?

Once the surveys were returned, the Center reviewed the responses for accuracy by examining the actual language of the state statutes and/or regulations. The results of the Center's survey, broken down on a regional basis, are contained on page 35.

States most aware of the out-of-field teaching issue have incorporated a high ideal into their statutes: The best means of achieving quality education is through well-trained persons certified in the field they are teaching. States whose provisions are notable for their clarity include Louisiana, Oklahoma, and West Virginia.

Louisiana state law requires that the certi-

fication process reflect the "ability and proficiency of the teacher to educate at the grade level and in the subject(s) to which the teacher is assigned."<sup>1</sup> Louisiana regulations allow temporary certificates to be issued to a person not certified in a particular subject but only upon the condition that the superintendent certifies that there is no properly certified or qualified teacher available. If the teacher expects to continue in the position for longer than one year, s/he must earn six hours of credit in the subject area. This type of provision provides flexibility for emergency situations while limiting the out-of-field teaching to a maximum length of one year.

Oklahoma's statutes<sup>2</sup> require a teacher to hold a valid certificate authorizing the instructor to teach the grades or subject matter for which the person is employed. Oklahoma's certification statutes place the blame for out-of-field teaching on the members of the local board of education who allow a person to teach out-of-field, as opposed to the instructor who may have little control over his/her assignment.

The West Virginia Board of Education has established a number of program objectives which seek to "provide a basis for identifying the specified competencies needed by teachers."<sup>3</sup> The list of objectives includes the need for a field-centered orientation. West Virginia's statutes support this goal by requiring the instructor to teach in specialized areas and grade levels.

The West Virginia statutes and rules, promulgated by the state board of education, represent a particularly clear and useful way to deal with emergency staffing needs while minimizing the problem of out-of-field teaching. Using fixed-time limits and requirements for further education, that state has defined two acceptable methods for meeting emergency shortages of qualified personnel. First, teachers who have not fully met the Professional Certificate

Instruction (DPI) monitored the rate of out-of-field teaching — that is, the number of persons teaching in areas for which they were not certified — and fined persons \$10 per month if they were teaching more than 50 percent of their classes out-of-field. But this system proved unfair. “The burden was falling on the wrong individual because teachers have little control over their assignments,” says J. Arthur Taylor, director of DPI’s Division of Certification. “It is the principals and superintendents who decide where to assign teachers.”

In 1968, the fine system was dropped and a new method of penalizing out-of-field teaching

was adopted. Theoretically, this method shifted the burden from the teacher to the school system. “Excessive assigning of teachers in out-of-field situations will affect the accreditation of the school,” read the new rules adopted in 1968.<sup>1</sup> But despite a continuing prevalence of out-of-field teaching — highlighted by the findings released by the N.C. Center for Public Policy Research in 1981 — no public school in North Carolina has ever lost its accreditation over this issue. Furthermore, no penalty is imposed on a school for being non-accredited.

In October 1981, DPI proposed new out-of-

requirements to teach in approved areas can obtain temporary permits for teaching those subjects where a shortage of fully qualified personnel exists. Persons employed on permits, however, must enroll in an approved teacher education program in pursuit of professional certification. Second, out-of-field authorizations may be issued in specific areas (behavioral disorders, hearing impaired, gifted, physically handicapped, etc.), upon the recommendation of the county superintendent, for one year to an instructor who holds a valid Professional Certificate. For renewal of the authorization,

the teacher must enroll in an approved education program in the area. □

#### FOOTNOTES:

<sup>1</sup> Louisiana R.S. 17:7 and accompanying rules published in Bulletin 746, “Louisiana Standards for State Certification of School Personnel.”

<sup>2</sup> Oklahoma Statutes, Section 91 and accompanying rules.

<sup>3</sup> West Virginia Statutes 18A-3-1 and memorandum entitled “State Board Actions Related to Permits/Out of Field Authorizations . . .” (July 16, 1981).

### Out-of-Field Teaching Policies in the 50 States, by Region (1982)

REGION	NO PROVISIONS	HAS BOTH RULES AND LAWS PROHIBITING OUT-OF-FIELD TEACHING	HAS RULES PROHIBITING OUT-OF-FIELD TEACHING
SOUTH (15 states)	Alabama Maryland North Carolina Texas Virginia	Arkansas Louisiana Oklahoma West Virginia	Florida Georgia Kentucky Mississippi South Carolina Tennessee
NORTHEAST (10 states)	Maine New Hampshire New Jersey Rhode Island	Connecticut Massachusetts Pennsylvania	Delaware New York Vermont
NORTH CENTRAL (12 states)	Missouri	Kansas Michigan Minnesota North Dakota Ohio South Dakota Wisconsin	Illinois Indiana Iowa Nebraska
WEST (13 states)	Alaska Arizona Colorado Hawaii Utah	Idaho Nevada Oregon	California Montana New Mexico Washington Wyoming
<b>TOTAL (50 states)</b>	<b>15</b>	<b>17</b>	<b>18</b>

field teaching regulations to the State Board of Education, but the State Board took no action. Meanwhile, DPI held workshops on the proposed regulations with school personnel administrators, school principals, and each of the eight regional superintendent councils. The overall reaction among these different interest groups has been positive, reports Arthur Taylor. The main concern of those consulted, says Taylor, is "a time-line they can live with."

To address criticisms made by the Center and by school personnel, DPI revised and broadened its proposed regulations. The new proposals contain a total "in-field" requirement and a temporary means of coping with emergency staffing needs. The regulations now before the State Board for consideration require that a person teaching a subject have one of four types of certification in that subject — certificate, provisional certificate, endorsement, or provisional endorsement.<sup>2</sup> The type of certificate required depends on the percentage of time a teacher spends on a particular subject during the day. Taylor admits that ideally a person teaching a subject less than half a day should be as fully certified as a person teaching a subject more than half a day. However, given the nature of the school system and such factors as geography, population, and school organization, full certification of every teacher for every subject is not feasible, says Taylor. It is better to require lower levels of expertise than no level at all, the DPI seems to be saying. And in fact, certification through "endorsement" will at least help minimize the problem of out-of-field teaching by establishing a minimal level of expertise required for teaching a particular subject.

In addition to the four types of certification discussed above, DPI has added a "temporarily out-of-field" certificate, valid for one year and granted by the local superintendent only if there is no fully certified teacher available. To avoid the possibility that a round robin effect will be created by continually shifting different teachers every year to the temporary position, Taylor says that neither the same *teacher* nor the same *subject* may be designated as temporary beyond one year. This allows school personnel administrators one year to find a qualified or properly certified person for each position designated as temporary.

The Department of Public Instruction has in a commendable fashion refined its certification proposals. An "in-field" philosophy can now be implemented in North Carolina schools, to the satisfaction of superintendents, principals, and teachers — and to the benefit of the students. But after nearly a year's delay, the State Board of Education has not implemented the Department of Public Instruction's recommendations.

"The State Board of Education shall supervise

and administer the free public school system . . . and shall make all needed rules and regulations," charges the N.C. Constitution.<sup>3</sup> The time has come for the State Board to move towards the "field-centered" emphasis in certification procedures contained in the DPI proposals. Such an emphasis reflects an awareness that the best possible collegiate level education program is of little use if teachers are placed outside their area of interest and training.

North Carolina lags behind much of the country, including 10 Southern states, in adopting statutes or regulations that prohibit out-of-field teaching. One of two possible avenues should be taken to remedy this shortcoming. The State Board should act on the rules proposed by DPI or the General Assembly must pass a law prohibiting out-of-field teaching. Either route would represent an important step towards ensuring that children attending public schools in North Carolina are provided with the best possible education. □

#### FOOTNOTES:

<sup>1</sup> 16 NCAC 2H .0203(d)(1).

<sup>2</sup> These four types of certification are progressively less difficult to obtain, from "certificate" (most difficult) to "provisional endorsement" (least difficult). For a full description of what DPI proposes as requirements for each type of certification, see the proposed "In-Field Assignment Policies" (January 11, 1982), available from J. Arthur Taylor, Division of Certification, Department of Public Instruction, 114 W. Edenton Street, Raleigh, N.C. 27611. For the proposals made by the N.C. Center for Public Policy Research, see *Teacher Certification: Out-of-Field Teaching in Grades 7-12 in North Carolina*, Chapter Three (1982).

<sup>3</sup> N.C. Constitution, Article IX, Section 5.

