

Inertia in Teacher Education and the Need for Judicial Intervention

Poonam Batra



Saraswati, a 20-year old mother of two from rural Madhya Pradesh hopes that her children can finish eight-years of schooling unlike her. Kishan Jatav a twelve-year old wanted to become a 'space scientist' like Abdul Kalam but had to drop out of school in Class VI to help his brother run a bicycle repair shop.

What is the common thread that links the lives of millions of such Indian children together? The failure of the Indian state to provide the constitutionally guaranteed entitlement to elementary education - an education that can empower these children, their parents and communities to change their lives in a way and a pace that is meaningful to them. Not one that is dictated by bureaucratic committees in faraway places or by global networks advocating private schooling for profit to build the country's human capital and its ability to compete in a globalising world.

The answer to complex structural challenges lies in a very simple but difficult place to reach – the school classroom. The battle for the hearts, mind and future of India's children is being lost each day in the classrooms of millions of schools in the country. If we are not able to change the reality of the teaching-learning process soon – then the cause may be lost, for another generation, irrespective of whether 3 or 6 percent of the GDP is committed to education.

Having said that, it is important to take stock of our successes and why we have failed to measure up to the common person's expectations.

The Right to Education (RTE) was enshrined, in the Indian Constitution as a Fundamental Right, after a half century long contest in 2009. This established binding legal responsibilities on the Indian state to provide; ensure and regulate the 'delivery' of universal quality education. Addressing non-performance in fulfilling this Constitutional entitlement subsequently shifted from Parliament and the Central and State Governments to the High

Courts and the Supreme Court. Policy measures, interventions, acts of omission and commission in conflict with the Court's interpretation of the RTE in the school system have been struck down and often replaced by Court supervised regulation and intervention.

In a sweeping move, in June 2011, the Supreme Court made a far -reaching intervention in teacher education² to address complaints of widespread malpractice, policy distortions and regulatory conflicts. After uncovering a viper's nest of vested interests from widespread corruption, dummy colleges, a moribund teacher educator community to malpractice and widespread political patronage - it established the J. S. Verma Commission (JVC) headed by a former Chief Justice of India.

The JVC after year-long nationwide consultations presented a comprehensive report³ and Action Plan to reform the sector to the Supreme Court in August 2012. The JVC noted that "...close to 90 percent of pre-service teacher training institutions are in the private sector. On the other hand, around 80 percent of children enrolled in state schools are the direct responsibility of the state as per the RTE Act." and observed that NCTE's (National Council for Teacher Education) inability to control the proliferation of sub-standard TEIs 'has led to the commercialisation ... thereby adversely affecting the quality of teacher education' (p. 21).

The key problems that have plagued teacher education as noted by the JVC are: the standalone nature of institutes of teacher education (TEIs); the proliferation of commercial private sub-standard institutions; an unchanged (for over 65 years) frame of duration, curriculum and pedagogy within which teachers are prepared; the acute paucity of institutional capacity to prepare teachers and teacher educators and the generalist and limiting nature of the existing Masters (MEd) programmes to prepare professional teachers and teacher educators.

²Rashtrasant T.M.S. & S.B.V.M.C.A. VID & Ors v Gangadar Nilkant Shende & Ors SLP (Civil) No. 4247-4248/2009.

³GoI (2012), *Vision of Teacher Education in India: Quality and Regulatory Perspective, Report of the High-Powered Commission on Teacher Education Constituted by the Hon'ble Supreme Court of India, New Delhi: MHRD.*

Of the 291 institutions in Maharashtra reviewed by JVC, more than 85% were recommended for closure. Based on this experience, it recommended that the NCTE should 'develop a new framework for undertaking inspection of recognised institutions, with enhanced focus on process parameters, to ascertain the quality of the institutions...the Government should increase its investment for establishing TEIs.'

The report made 30 specific recommendations to revitalise the sector, improve pre-service and continuing professional development programmes for teachers; modify the statutory regulatory functions of the NCTE and make revisions in the NCTE Act.

These were ratified by the Supreme Court, which in a departure from established practice then established a three person Implementation Committee⁴ (IC) to provide independent oversight on the faithful implementation of the JVC recommendations by all policy making, regulatory, advisory and implementation agencies of the Government of India, State Governments and teacher education sector institutions.

Committees set up by the NCTE and the GoI at the behest of the IC have then provided a road map, outlining several concrete strategies for implementation. These include: structural changes in institutional arrangements; attracting fresh talent to the field of school and teacher education; redesign of curriculum of teacher education programmes to enhance diversity; developing knowledge and learning contextualised to Indian society and appropriate regulatory mechanisms to enable significant shifts on the ground.

As an example, the JVC asserts that "apart from augmenting the required capacity to prepare teachers, pre-service programmes require a radical shift in curriculum and institutional design." As a result of their 'standalone' nature, TEIs 'remain severed from activities of knowledge generation and a culture of research and interdisciplinary studies...it is therefore desirable that new teacher education institutions are located in multi and inter-disciplinary academic environment.'

A critical way forward to address three JVC recommendations i.e. (a) increase government investment and (b) prepare high quality teachers through integrated programmes of general and professional education and (c) to remove the intellectual isolation that characterises school teachers and schools is to locate teacher education programmes (TEPs) of secondary and elementary education in university-based colleges offering undergraduate studies in liberal arts and sciences.

There are over 16,000 NCTE recognised TEIs that train elementary and secondary school in the country. Of these, about half the TEPs that train elementary teachers are outside the University system. In comparison, UGC's data-base on affiliated and constituent colleges suggests that there are over 35,000 Colleges of liberal arts and sciences across the country. States in urgent need of teachers, but lacking in TEIs can tap the large number of undergraduate colleges that could offer pre-service teacher education.

Fourteen deficit states alone require an additional annual capacity of about 19,000 teacher educators. The JVC and the XII Plan Working Group (WG) had suggested many concrete ways to fill the massive deficit in teacher educators. They include (a) enhancing the capacity of existing institutions by increasing the annual intake. (b) creating capacity in Universities to offer MEd programmes (c) diversifying the eligibility criteria for teacher educators.

Therefore the JVC recommends that the essential qualification framework for teacher educators be made broad-based in a manner that ensures the entry of specialised faculty to become teacher educators. The XII Plan WG also observed that the 'restrictive norm' of MEd as an essential qualification 'needs to be reviewed in the light of (a) the skills of teacher educators required and the demands of a revised curriculum within the frame of NCFTE, 2009; and (b) international practice in respect of teacher education institutions...the central idea is to offer alternate paths for persons from various disciplines to become teacher educators.'

⁴The Implementation Committee was constituted by the Ministry of Human Resource Development, Government of India in compliance with the Order dated 14/16.5.2013. The Implementation Committee prepared a comprehensive Action Plan for giving effect to the recommendations made by Verma Commission. The order dated 10/9/2013 passed by the Supreme Court of India in SLP (C) No.2399-2400/2009 along with several other Leave Petitions, directed the NCTE to notify the new regulations latest by 30/11/2013, later extending the date to November 2014. It was further directed by the Supreme Court of India that all 'recommendations made by the IC shall be binding on the Government of India, the Government of all States and Administration of Union Territories and also NCTE, University Grant Commission and all of them shall implement the same without any objections and without modifying the same'.

The JVC too has clear views on this. The Commission notes unequivocally that the “preparation of teacher educators has remained a weak link in ensuring the quality of pre-service teacher education, and therefore, the issue of the profile of a teacher educator should receive due attention, transcending the existing thinking on the subject” (p. 17). While recommending a strong grounding in the social sciences for the teaching of foundation courses, it observes that the current institutional norm of requiring the MEd degree for the recruitment of teacher educators is limiting and needs to change.

Enabling a multi and inter-disciplinary faculty to become teacher educators, with strong theoretical and epistemological grounding in major foundational disciplines will provide the opportunity for wider and deeper engagement with issues of educational theory and practice. Hence, linkages with higher education are likely to become deeper and lateral, a JVC recommendation.

The JVC takes a clear view that ‘the MEd programme should become a two-year programme with adequate provision to branch out into specialisations in curriculum studies; pedagogic studies; policy, finance and foundation studies.’ This has already come into effect with the notification of new norms by the NCTE in 2014. To strengthen the MEd programme FURTHER, the Commission recommends that ‘Lateral entry needs to be provided for those who wish to undertake educational studies other than through the teacher education route.’ Opening up the MEd for graduates and post-graduates in various disciplines of social sciences, humanities and sciences (without having acquired the qualification to become a teacher) is likely to widen the pool of talent towards becoming teacher educators.

This comes from the understanding that we need teacher educators who have the capacity to engage with questions of curriculum design, aims of education, learners, knowledge and learning and that this requires rigorous theoretical engagement with foundational disciplines and not through the practice of teaching alone.

The concern of educators, who have raised several objections to the proposed revised regulations, to preserve the ‘discipline’ of education is likely to be better addressed through efforts to combine the study of education as a liberal discipline with the study and practice of education as a professional

pursuit. This can be best done in two ways: first, by bridging the contrived distinction between the pursuit of education as a liberal study and as a professional study. This would require concerted thinking and consensus building on the components, issues, concerns and methods that qualify to be called ‘professional’ and those that can be best described as ‘liberal’ components of education. This would be a matter to be resolved at the level of developing curriculum for the MEd programme.

If we agree that the professional and the liberal need to inform each other in order to enrich the theory and practice of education, then it is critical that we enable students of social sciences, sciences, mathematics and humanities to pursue educational studies (post-graduate and research) without necessarily acquiring a degree in teacher education. It is equally critical that we invite the participation of faculty trained in diverse disciplines to teach in programmes of teacher education and to research issues of education that emerge from its practice in schools and other settings.

The new education policy proposal (2016) takes cognisance of some of the critical gaps in the preparedness of school teachers, including ‘the lack of professionalism in teacher training institutes, mismatch between training and practice, teacher involvement in non-teaching activities, problems of untrained teachers, teacher shortage, teacher absenteeism, and teacher accountability.’ However, it inexplicably maintains a studied silence on the critical recommendations made around each of these major gaps in the teacher education sector, by the Supreme Court appointed Justice Verma Commission (JVC) on Teacher Education (2012).

It also chooses to take no notice of the major revision of regulatory norms and standards of teacher education programmes based on JVC recommendations, notified in the Gazette of India in November 2014 – a step taken under strict direction from the Supreme Court of India where the JVC recommendations were accepted in toto in 2012.

The only academic strategy it proposes to enhance professionalism amongst teachers and build their capacity is the recommendation of setting up a national level Teacher Education University, a concept that has been argued against during the JVC deliberations. Such a move will only augment the existing problem of preparing teachers in

an intellectual vacuum, through stand-alone institutions, that the JVC observes and takes a firm stand against.

The central focus of the draft policy appears to be on suggesting measures to make teachers accountable and perform. It recommends how 'teacher absenteeism and indiscipline' can be dealt with through instituting measures of accountability, assisted by technology such as recording attendance with mobile phones and biometric devices; the periodic assessment of teachers by making it mandatory and linked to their future promotions and release of increments. International research has demonstrated how accountability mechanisms such as instituting CCTV cameras in schools; coercing teachers to maintain elaborate documentation of their work; subjecting them to constant surveillance and control have seriously undermined their work in schools and classrooms.

Several states continue to have acute teacher shortage due to poor institutional capacity to prepare teachers. Many of these states have chosen to recruit teachers on contract, and have compromised on their essential qualifications mandated by the RTE Act. The bulk of those who qualify to be teachers, observes the Justice Verma Commission, do so through a sub-standard system of 'teaching shops' that fail to address the pedagogic needs of diverse classrooms.

The proposed policy is designed to provide a new vision for school and teacher education. In doing so, it must function within the framework of the Constitution which provides for a Fundamental Right to Education; and within the ambit of Supreme Court-made law that via the JVC defines the regulatory framework for teacher education.