

House Bill 340

By: Representatives Corbett of the 174<sup>th</sup>, Ballard of the 147<sup>th</sup>, Parsons of the 44<sup>th</sup>, Greene of the 154<sup>th</sup>, Wilkerson of the 38<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Subpart 2 of Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of  
2 Georgia Annotated, relating to conditions of employment in elementary and secondary  
3 education, so as to provide for daily duty-free planning periods for teachers in grades six  
4 through 12; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Subpart 2 of Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia  
8 Annotated, relating to conditions of employment in elementary and secondary education, is  
9 amended by revising Code Section 20-2-218, relating to duty-free lunch period, exchange  
10 of lunch period for compensation or other benefit, length of school day not affected,  
11 exemption for extenuating circumstances, and funding, as follows:

12 "20-2-218.

13 (a)(1) Every teacher who is employed in grades kindergarten through five for a period  
14 of time of more than one-half of the class periods of the regular school day shall be  
15 provided a daily lunch period of not less than 30 consecutive minutes, and such employee  
16 shall not be assigned any responsibilities during ~~this~~ such lunch period. Such lunch

17 period shall be included in the number of hours worked, and no local board of education  
18 shall increase the number of hours to be worked by an employee as a result of such  
19 employee's being granted a lunch period under the provisions of this Code section. This  
20 duty-free lunch period shall not be calculated under any circumstances as a part of any  
21 daily planning period or other noninstructional time.

22 (2) Every teacher who is employed in grades six through 12 for a period of time of more  
23 than one-half of the class periods of the regular school day shall be provided a daily  
24 planning period of not less than 30 consecutive minutes, and such employee shall not be  
25 assigned any responsibilities during such planning period. Such planning period shall be  
26 included in the number of hours worked, and no local board of education shall increase  
27 the number of hours to be worked by an employee as a result of such employee's being  
28 granted a planning period under the provisions of this Code section. This duty-free  
29 planning period shall not be calculated under any circumstances as a part of any daily  
30 lunch period or other noninstructional time.

31 (b) Nothing in this Code section shall be construed to prevent any teacher from exchanging  
32 that teacher's lunch or planning period for any compensation or benefit mutually agreed  
33 upon by the employee and the local superintendent of schools or such superintendent's  
34 agent, except that a teacher and the superintendent or agent may not agree to terms which  
35 are different from those available to any other teacher granted rights under this Code  
36 section within the individual school or to terms which in any way discriminate among such  
37 teachers within the individual school.

38 (c) The implementation of this Code section may not result in a lengthened school day.

39 (d) If necessary where due to extreme economic conditions or an unforeseen and  
40 unavoidable personnel shortage, a local unit of administration may:

41 (1) Require ~~require~~ a teacher otherwise entitled to a duty-free lunch period to supervise  
42 students during such lunch period but for no more than one day in any school week; and

