

The House Committee on Education offers the following substitute to HB 340:

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 planning periods for teachers in grades kindergarten
4 through 12; to provide for a definition; to provide for related matters; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

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

13 "20-2-218.

14 (a) As used in this Code section, the term 'planning period' means a block of time when
15 a teacher is not responsible for the direct supervision of student safety or conduct or for
16 providing instruction to students and is responsible for participating in activities that are

H. B. 340 (SUB)

17 part of the established duties of a teacher, including, but not limited to, instructional lesson
18 design, grading and assessment, data analysis of student achievement, and growing skills
19 and knowledge in the profession of teaching.

20 (b)(1) Every teacher who is employed in grades kindergarten through five for a period
21 of time of more than one-half of the class periods of the regular school day shall be
22 provided a daily lunch period of not less than 30 consecutive minutes, and such employee
23 shall not be assigned any responsibilities during ~~this~~ such lunch period. Such lunch
24 period shall be included in the number of hours worked, and no local board of education
25 shall increase the number of hours to be worked by an employee as a result of such
26 employee's being granted a lunch period under the provisions of this Code section. This
27 duty-free lunch period shall not be calculated under any circumstances as a part of any
28 daily planning period or other noninstructional time.

29 (2) Every teacher who is employed in grades kindergarten through 12 for a period of
30 time of more than one-half of the class periods of the regular school day shall be provided
31 a daily planning period. Such planning period shall be included in the number of hours
32 worked, and no local board of education shall increase the number of hours to be worked
33 by an employee as a result of such employee's being granted a planning period under the
34 provisions of this Code section. This planning period shall not be calculated under any
35 circumstances as a part of any daily lunch period or other noninstructional time.

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

43 (e)(d) The implementation of this Code section may not result in a lengthened school day.

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

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

48 (2) Require a teacher otherwise entitled to a planning period to supervise students during
49 such planning period but for no more than one day in any school week except when
50 necessary to ensure the safety of students and staff.

51 (f) During planning periods teachers are encouraged to review the school safety plan and
52 incorporate it into lesson plans as appropriate.

53 ~~(e)~~(g) Notwithstanding any of the foregoing provisions of this Code section to the
54 contrary, nothing in this Code section shall require the General Assembly to appropriate
55 funds for the implementation of the planning period and duty-free lunch program;
56 provided, however, that any such funds appropriated for this purpose shall be used by local
57 school systems for duty-free lunch periods for classroom teachers in grades kindergarten
58 through five and planning periods for classroom teachers in grades kindergarten through
59 12."

60 **SECTION 2.**

61 All laws and parts of laws in conflict with this Act are repealed.