

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 238

Short Title: Duty-Free Time/Lunch for Teachers. (Public)

Sponsors: Representatives Elmore, Holloway, and Glazier (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Education - K-12.

March 17, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT ALL TEACHERS HAVE DUTY-FREE INSTRUCTIONAL
3 PLANNING TIME AND DUTY-FREE LUNCH.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 115C-301.1 reads as rewritten:

6 "**§ 115C-301.1. Duty-free instructional planning ~~time~~ time and duty-free lunch.**

7 All full-time assigned classroom teachers shall be provided daily duty-free instructional
8 planning time during regular student contact hours. The duty-free instructional planning time
9 shall be provided except in emergency situations where the immediate and temporary
10 suspension of the planning time is the only reasonable means of protecting the safety of the
11 students. The duty-free lunch shall be provided to the maximum extent that ~~(i) the safety and~~
12 ~~proper supervision of children~~ the students may allow during regular student contact hours and
13 ~~(ii) insofar as funds are provided for this purpose by the General Assembly. If the safety and~~
14 ~~supervision of children does not allow duty free instructional planning time during regular~~
15 ~~student contact hours for a given teacher, the funds provided by the General Assembly for the~~
16 ~~duty free instructional planning time for that teacher shall revert to the general fund.~~ hours.
17 Principals shall not unfairly burden a given teacher by making that teacher give up his or her
18 duty-free instructional planning time or duty-free lunch on an ongoing, regular basis without
19 the consent of the teacher."

20 **SECTION 2.** G.S. 115C-105.27(b) reads as rewritten:

21 "(b) School Improvement Plan. – In order to improve student performance, the school
22 improvement team at each school shall develop a school improvement plan that takes into
23 consideration the annual performance goal for that school that is set by the State Board under
24 G.S. 115C-105.35 and the goals set out in the mission statement for the public schools adopted
25 by the State Board of Education. All school improvement plans shall be, to the greatest extent
26 possible, data-driven. School improvement teams shall use the Education Value-Added
27 Assessment System (EVAAS) or a compatible and comparable system approved by the State
28 Board of Education to (i) analyze student data and identify root causes for problems, (ii)
29 determine actions to address them, and (iii) appropriately place students in courses such as
30 Algebra I. School improvement plans shall contain clear, unambiguous targets, explicit
31 indicators and actual measures, and expeditious time frames for meeting the measurement
32 standards.

33 The strategies for improving student performance:

- 34 (1) Shall include a plan for the use of staff development funds that may be made
35 available to the school by the local board of education to implement the



- 1 school improvement plan. The plan may provide that a portion of these
2 funds is used for mentor training and for release time and substitute teachers
3 while mentors and teachers mentored are ~~meeting;meeting.~~
4 (1a) Repealed by Session Laws 2012-142, s. 7A.1(c), effective July 2, 2012.
5 (2) Shall include a plan to address school safety and discipline
6 ~~concerns;concerns.~~
7 (3) May include a decision to use State funds in accordance with
8 ~~G.S. 115C-105.25;G.S. 115C-105.25.~~
9 (4) Shall include a plan that specifies the effective instructional practices and
10 methods to be used to improve the academic performance of students
11 identified as at risk of academic failure or at risk of dropping out of
12 ~~school;school.~~
13 (5) May include requests for waivers of State laws, rules, or policies for that
14 school. A request for a waiver shall meet the requirements of
15 ~~G.S. 115C-105.26;G.S. 115C-105.26.~~
16 (6) Shall include a plan to provide a duty-free lunch ~~period~~ for every teacher on
17 a daily ~~basis or as otherwise approved by the school improvement team;~~
18 ~~and~~ basis as required by G.S. 115C-301.1.
19 (7) Shall include a plan to provide duty-free instructional planning time for
20 every teacher ~~as required under G.S. 115C-301.1, with the goal of providing~~
21 ~~an average~~ G.S. 115C-301.1 of at least five hours of planning time per ~~week;~~
22 ~~and~~ week.
23 (8) Shall include a plan to identify and eliminate unnecessary and redundant
24 reporting requirements for teachers and, to the extent practicable, streamline
25 the school's reporting system and procedures, including requiring forms and
26 reports to be in electronic form when possible and incorporating relevant
27 documents into the student accessible components of the Instructional
28 Improvement System."

29 **SECTION 3.** This act is effective when it becomes law and applies beginning with
30 the 2015-2016 school year.