

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1291

Short Title: Duty-Free Period for Teachers. (Public)

Sponsors: Representatives Harrison, Lucas (Primary Sponsors); Bryant, Faison, Hughes, Parmon, Wainwright, and Womble.

Referred to: Education, if favorable, Appropriations.

April 9, 2009

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

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-period~~ and duty-free lunch period.**

7 All full-time assigned classroom teachers shall be provided a daily duty-free instructional
8 planning ~~time-period~~ and a daily duty-free lunch period during regular student contact hours.

9 The duty-free instructional planning ~~time-period~~ shall be provided except in emergency
10 situations where the immediate and temporary suspension of the planning period is the only
11 reasonable means of protecting the safety of children. The duty-free lunch period shall be

12 provided to the maximum extent that ~~(i) the safety and proper supervision of children may~~
13 allow during regular student contact hours. hours and (ii) insofar as funds are provided for this
14 purpose by the General Assembly. If the safety and supervision of children does not allow
15 duty free instructional planning time during regular student contact hours for a given teacher,
16 the funds provided by the General Assembly for the duty free instructional planning time for
17 that teacher shall revert to the general fund. Principals shall not unfairly burden a given teacher
18 by making that teacher give up his or her duty-free instructional planning ~~time-period~~ or
19 duty-free lunch period on an ongoing, regular basis without the consent of the teacher."

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

21 "(b) The strategies for improving student performance:

22 (1) Shall include a plan for the use of staff development funds that may be made
23 available to the school by the local board of education to implement the
24 school improvement plan. The plan may provide that a portion of these
25 funds is used for mentor training and for release time and substitute teachers
26 while mentors and teachers mentored are meeting;

27 (1a) Shall, if the school serves students in kindergarten or first grade, include a
28 plan for preparing students to read at grade level by the time they enter
29 second grade. The plan shall require kindergarten and first grade teachers to
30 notify parents or guardians when their child is not reading at grade level and
31 is at risk of not reading at grade level by the time the child enters second
32 grade. The plan may include the use of assessments to monitor students'
33 progress in learning to read, strategies for teachers and parents to implement
34 that will help students improve and expand their reading, and provide for the
35 recognition of teachers and strategies that appear to be effective at preparing
36 students to read at grade level;



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- 1 (2) Shall include a plan to address school safety and discipline concerns in
2 accordance with the safe school plan developed under Article 8C of this
3 Chapter;
- 4 (3) May include a decision to use State funds in accordance with
5 G.S. 115C-105.25;
- 6 (4) Shall include a plan that specifies the effective instructional practices and
7 methods to be used to improve the academic performance of students
8 identified as at risk of academic failure or at risk of dropping out of school;
- 9 (5) May include requests for waivers of State laws, rules, or policies for that
10 school. A request for a waiver shall meet the requirements of
11 G.S. 115C-105.26;
- 12 (6) Shall include a plan to provide a duty-free lunch period for every teacher on
13 a daily ~~basis or as otherwise approved by the school improvement team;~~
14 basis; and
- 15 (7) Shall include a plan to provide duty-free instructional planning time for
16 every teacher under ~~G.S. 115C-301.1, with the goal of providing an average~~
17 G.S. 115C-301.1 of at least five hours of planning time per week."

18 **SECTION 3.** This act is effective when it becomes law and applies beginning with
19 the 2009-2010 school year.