

House Bill 1082

By: Representatives Tumlin of the 38th, Keown of the 173rd, and Freeman of the 140th

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 for personnel in local school
3 systems, so as to change certain provisions relating to a duty-free lunch period for teachers;
4 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 for personnel in local school systems, is
9 amended by striking Code Section 20-2-218, relating to a duty-free lunch period, and
10 inserting in lieu thereof the following:

11 "20-2-218.

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

21 (b) Nothing in this Code section shall be construed to prevent any teacher from exchanging
22 that teacher's lunch period for any compensation or benefit mutually agreed upon by the
23 employee and the local superintendent of schools or such superintendent's agent, except
24 that a teacher and the superintendent or agent may not agree to terms which are different
25 from those available to any other teacher granted rights under this Code section within the

1 individual school or to terms which in any way discriminate among such teachers within
2 the individual school.

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

4 (d) If necessary where due to extreme economic conditions or an unforeseen and
5 unavoidable personnel shortage, a local unit of administration may require a teacher
6 otherwise entitled to a duty-free lunch period to supervise students during such lunch
7 period but for no more than one day in any school week.

8 (e) Notwithstanding any of the foregoing provisions of this Code section to the contrary,
9 nothing in this Code section shall require the General Assembly to appropriate funds for
10 the implementation of the duty-free lunch program; provided, however, that any such funds
11 appropriated for this purpose shall be used by local school systems for duty-free lunch
12 periods for classroom teachers in grades kindergarten through five. In the event that the
13 General Assembly appropriates additional funds for the implementation of the duty-free
14 lunch program for classroom teachers in grades six through 12, the provisions of this Code
15 section shall be fully applicable to grades six through 12 in the fiscal year that the initial
16 appropriations are made by the General Assembly and in every year thereafter."

17 **SECTION 2.**

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