

The House Committee on Education offers the following substitute to HB 1244:

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, so as to provide that teachers shall
3 not be required to supervise students during their duty-free lunch period or planning period
4 except in cases of extreme emergency; to provide that requirements related to duty-free lunch
5 periods and planning periods for teachers shall not be subject to waiver; to provide for
6 definitions; to provide for an effective date and applicability; to provide for related matters;
7 to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Subpart 2 of Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
11 Annotated, relating to conditions of employment, is amended by revising Code Section
12 20-2-218, relating to duty-free lunch period and planning period required, exemption for
13 extenuating circumstances, and funding, as follows:

14 "20-2-218.

15 (a) As used in this Code section, the term:

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16 (1) 'Extreme emergency' means severe weather conditions, interference caused by
17 electrical or mechanical failure at a school, a disruption caused by an armed attack or
18 threat directed at a school, a disruption of transportation systems resulting in significant
19 changes in the availability of teachers, or the illness or death of one or more teachers.
20 The mere lack of an available substitute teacher shall not constitute an extreme
21 emergency.

22 (2) 'Planning period' ~~'planning period'~~ means a block of time when a teacher is not
23 responsible for the direct supervision of student safety or conduct or for providing
24 instruction to students and is responsible for participating in activities that are part of the
25 established duties of a teacher, including, but not limited to, instructional lesson design,
26 grading and assessment, data analysis of student achievement, and growing skills and
27 knowledge in the profession of teaching.

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

37 (2) Every teacher who is employed in grades kindergarten through 12 for a period of
38 time of more than one-half of the class periods of the regular school day shall be provided
39 a daily planning period. Such planning period shall be included in the number of hours
40 worked, and no local board of education shall increase the number of hours to be worked
41 by an employee as a result of such employee's being granted a planning period under the

42 provisions of this Code section. This planning period shall not be calculated under any
 43 circumstances as a part of any daily lunch period or other noninstructional time.

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

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

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

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

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

59 (f) In circumstances other than an extreme emergency, a local unit of administration shall
 60 be authorized to:

61 (1) Request that a teacher otherwise entitled to a duty-free lunch period supervise
 62 students during such duty-free lunch period; and

63 (2) Request that a teacher otherwise entitled to a planning period supervise students
 64 during such planning period.

65 (g) During planning periods teachers are encouraged to review the school safety plan and
 66 incorporate it into lesson plans as appropriate.

67 (g)(h) Notwithstanding any of the foregoing provisions of this Code section to the
 68 contrary, nothing in this Code section shall require the General Assembly to appropriate

69 funds for the implementation of the planning period and duty-free lunch program;
70 provided, however, that any such funds appropriated for this purpose shall be used by local
71 school systems for duty-free lunch periods for classroom teachers in grades kindergarten
72 through five and planning periods for classroom teachers in grades kindergarten
73 through 12.

74 (i) This Code section shall not be subject to waiver pursuant to Code Section 20-2-82 for
75 a strategic waivers school system, Code Section 20-2-2063.2 or 20-2-2065 for a charter
76 system, Code Section 20-2-2065 for a charter school, Code Section 20-2-2096.3 for a
77 completion special school, or Code Section 20-2-244."

78 **SECTION 2.**

79 This Act shall become effective on July 1, 2026, and shall apply to all school years beginning
80 with the 2026-2027 school year.

81 **SECTION 3.**

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