

House Bill 1231

By: Representatives Corbett of the 174th, Momtahan of the 17th, Parsons of the 44th, Greene of the 154th, and Wilkerson of the 38th

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 require that teachers who supervise students during
5 their duty-free lunch period or planning period are compensated in cases other than an
6 extreme emergency; to provide that requirements related to duty-free lunch periods and
7 planning periods for teachers shall not be subject to waiver; to provide for definitions; to
8 provide for an effective date and applicability; to provide for related matters; to repeal
9 conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Subpart 2 of Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
13 Annotated, relating to conditions of employment, is amended by revising Code Section
14 20-2-218, relating to duty-free lunch period and planning period required, exemption for
15 extenuating circumstances, and funding, as follows:

H. B. 1231

16 "20-2-218.

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

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

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

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

39 (2) Every teacher who is employed in grades kindergarten through 12 for a period of
40 time of more than one-half of the class periods of the regular school day shall be provided
41 a daily planning period. Such planning period shall be included in the number of hours
42 worked, and no local board of education shall increase the number of hours to be worked

43 by an employee as a result of such employee's being granted a planning period under the
 44 provisions of this Code section. This planning period shall not be calculated under any
 45 circumstances as a part of any daily lunch period or other noninstructional time.

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

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

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

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

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

61 (f)(1) In circumstances other than an extreme emergency, a local unit of administration
 62 shall be authorized to:

63 (A) Request that a teacher otherwise entitled to a duty-free lunch period supervise
 64 students during such duty-free lunch period; and

65 (B) Request that a teacher otherwise entitled to a planning period supervise students
 66 during such planning period.

67 (2) In the event that a teacher supervises students after agreeing to such a request, such
 68 teacher shall be compensated at an hourly rate consistent with his or her salary.

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

71 (g)(h) Notwithstanding any of the foregoing provisions of this Code section to the
72 contrary, nothing in this Code section shall require the General Assembly to appropriate
73 funds for the implementation of the planning period and duty-free lunch program;
74 provided, however, that any such funds appropriated for this purpose shall be used by local
75 school systems for duty-free lunch periods for classroom teachers in grades kindergarten
76 through five and planning periods for classroom teachers in grades kindergarten
77 through 12.

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

82 **SECTION 2.**

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

85 **SECTION 3.**

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