

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 238  
PROPOSED COMMITTEE SUBSTITUTE H238-PCS20344-TW-11

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

(Public)

Sponsors:

Referred to:

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 duty-free instructional planning  
8 time and duty-free lunch time during regular student contact hours. Every teacher shall be  
9 provided duty-free lunch time in accordance with G.S. 115C-105.27. The duty-free  
10 instructional planning time and duty-free lunch time shall be provided to the maximum extent  
11 that ~~(i) the safety and proper supervision of children~~ students may allow during regular student  
12 contact ~~hours and (ii) insofar as funds are provided for this purpose by the General Assembly.~~  
13 ~~If the safety and supervision of children does not allow duty free instructional planning time~~  
14 ~~during regular student contact hours for a given teacher, the funds provided by the General~~  
15 ~~Assembly for the duty free instructional planning time for that teacher shall revert to the~~  
16 ~~general fund.~~ hours. Principals shall not unfairly burden a given teacher by making that teacher  
17 give up his or her duty-free instructional planning time or duty-free lunch time on an ongoing,  
18 regular basis without the consent of the teacher."

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

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

32 The strategies for improving student performance:

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



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- 1 funds is used for mentor training and for release time and substitute teachers  
2 while mentors and teachers mentored are meeting;
- 3 (1a) Repealed by Session Laws 2012-142, s. 7A.1(c), effective July 2, 2012.
- 4 (2) Shall include a plan to address school safety and discipline concerns;
- 5 (3) May include a decision to use State funds in accordance with  
6 G.S. 115C-105.25;
- 7 (4) Shall include a plan that specifies the effective instructional practices and  
8 methods to be used to improve the academic performance of students  
9 identified as at risk of academic failure or at risk of dropping out of school;
- 10 (5) May include requests for waivers of State laws, rules, or policies for that  
11 school. A request for a waiver shall meet the requirements of  
12 G.S. 115C-105.26;
- 13 (6) Shall include a plan in accordance with G.S. 115C-301.1 to provide a  
14 duty-free lunch ~~period-time~~ for every teacher on a daily basis or ~~as otherwise~~  
15 ~~approved by the school improvement team;~~ a plan with a goal of providing at  
16 least 75 minutes per week; and
- 17 (7) Shall include a plan to provide duty-free instructional planning time for  
18 every teacher under G.S. 115C-301.1, with the goal of providing an average  
19 of at least five hours of planning time per week; [and]
- 20 (8) Shall include a plan to identify and eliminate unnecessary and redundant  
21 reporting requirements for teachers and, to the extent practicable, streamline  
22 the school's reporting system and procedures, including requiring forms and  
23 reports to be in electronic form when possible and incorporating relevant  
24 documents into the student accessible components of the Instructional  
25 Improvement System."

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