

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H.B. 563  
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40259-MT-87

Short Title: 30 Min. Duty-Free Lunch for Teachers.

(Public)

Sponsors: Representative Torbett.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE A MINIMUM OF THIRTY MINUTES OF DUTY-FREE LUNCH  
3 TIME FOR TEACHERS.

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 and lunch time.**

7 (a) ~~All~~ During regular student contact hours all full-time assigned classroom teachers  
8 shall be provided with both of the following:

9 (1) ~~duty-free~~ Duty-free instructional planning time during regular student contact  
10 hours.

11 (2) At least 30 minutes of duty-free lunch time on a daily basis.

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

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

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

33 The strategies for improving student performance:

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



- 1 for mentor training and for release time and substitute teachers while mentors  
2 and teachers mentored are ~~meeting;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;concerns.~~
- 5 (3) May include a decision to use State funds in accordance with  
6 ~~G.S. 115C-105.25;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  
10 ~~school;school.~~
- 11 (5) May include requests for waivers of State laws, rules, or policies for that  
12 school. A request for a waiver shall meet the requirements of  
13 ~~G.S. 115C-105.26;G.S. 115C-105.26.~~
- 14 (6) Shall include a plan to provide a minimum of 30 minutes for a duty-free lunch  
15 period on a daily basis for every teacher ~~on a daily basis or as otherwise~~  
16 ~~approved by the school improvement team; and under G.S. 115C-301.1(a).~~
- 17 (7) Shall include a plan to provide duty-free instructional planning time for every  
18 teacher under G.S. 115C-301.1, with the goal of providing an average of at  
19 least five hours of planning time per ~~week;week.~~
- 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 2.** This act is effective when it becomes law and applies beginning with  
27 the 2019-2020 school year.