PLANNING AND PREPARATION

Each classroom teacher is entitled to at least 450 minutes in each two-week period for instructional preparation including parent-teacher conferences, evaluating students' work, and planning. A planning and preparation period may not be less than 45 minutes within the instructional day. During that time, a teacher may not be required to participate in any other activity. *Education Code 21.404* [See DEAB(LEGAL) for definition of classroom teacher]

Planning and preparation time must occur during the time that students at the school where the teacher is located are receiving instruction. *Canutillo Educators Ass'n v. Canutillo Indep. Sch. Dist., Tex. Comm'r of Educ. Decision No. 042-R10-203 (April 30, 2010)*

DUTY-FREE LUNCH

Each classroom teacher or full-time librarian is entitled to at least a 30-minute lunch period free from all duties and responsibilities connected with the instruction and supervision of students. The implementation of this requirement may not result in a lengthened school day. *Education Code 21.405* [See DEAB(LEGAL) for definitions of classroom teacher and librarian]

Teachers may not be required to spend their 30-minute duty-free lunch break on school property. *Tex. Att'y Gen. Op. JM-481 (1986)*

EXCEPTION

If necessary because of a personnel shortage, extreme economic conditions, or unavoidable or unforeseen circumstances, the District may require a classroom teacher or librarian to supervise students during lunch. A classroom teacher or librarian may not be required to supervise students under this exception more than one day in any school week. *Education Code 21.405*

In determining whether an exceptional circumstance exists, the District shall use the following guidelines:

1. A personnel shortage exists when, despite reasonable efforts to use nonteaching personnel or the assistance of community volunteers to supervise students during lunch, no other personnel are available.

2. Extreme economic conditions exist when the percentage of a local tax increase, including the cost of implementing duty-free lunch requirements, would place the District in jeopardy with respect to a potential roll-back election.

3. Unavoidable or unforeseen circumstances exist when, because of illness, epidemic, or natural or man-made disaster, the District is unable to find individuals to supervise students during lunch.

*19 TAC 153.1001*