

CHAPTER 218

H.B. No. 505

An Act relating to the right to a duty-free lunch period for certain public school teachers.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter Z, Chapter 13, Education Code, is amended by adding Section 13.909 to read as follows:

Sec. 13.909. DUTY-FREE LUNCH. (a) Except as provided by Subsection (c) of this section, each teacher actively engaged in the instruction and supervision of students in public schools is entitled to at least a 30-minute lunch period free from all duties and responsibilities connected with the instruction and supervision of students. Each school district may set flexible or rotating schedules for each classroom teacher in the district for the implementation of the duty-free lunch period.

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

(c) If necessary because of a personnel shortage, extreme economic conditions, or an unavoidable or unforeseen circumstance, a school district may require a teacher entitled to a duty-free lunch to supervise students during lunch. A teacher may not be required to supervise students under this subsection more than one day in any school week. The State Board of Education by rule shall prescribe guidelines for determining what constitutes a personnel shortage, extreme economic conditions, or an unavoidable or unforeseen circumstance for purposes of this subsection.

SECTION 2. This Act takes effect September 1, 1985.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 17, 1985, by a non-record vote; passed by the Senate on May 23, 1985, by a viva-voce vote.

Approved: May 29, 1985

Effective: September 1, 1985