

Frequently Asked Questions Regarding Educators and Coronavirus/COVID-19 – District Waivers and Duty-Free Lunch and Planning Periods

I am hearing rumors that my district will be doing away with duty free lunches and planning periods next school year. I have heard that the District is seeking a “waiver” based on a law that was passed this spring. Is this true?

The Tennessee General Assembly passed [Public Chapter 652](#) in the spring of 2020. The new law allowed school districts to apply for a waiver if COVID-19 made it difficult for a district to follow what the law required. Any waiver must be approved by the Tennessee School Board. At the School Board’s April meeting, three waivers were accepted for most school districts. Those waivers found [here](#) covered non-renewal notice timelines, data for tenure decisions and mandating training for local school boards.

At present time, TEA does not know of any waivers that have been applied for regarding duty-free lunch or planning. Even if such waivers have been applied for, those waivers would be against [TDOE guidance](#) on re-opening schools issued June 17, 2020. In its guidance on Academics, TDOE stated:

***Plan for coverage during lunch and planning time.** Depending on schedules, students may be eating in classrooms. Structures should be put into place to ensure full observations of students while allowing for coverage for necessary teacher breaks and planning periods.*

Even if a district has requested a waiver to do away with duty-free lunch or planning periods, the request must be acted on by the Commissioner of Education and the State School Board. Based on the above TDOE guidance, the Commissioner does not seem to support doing away with duty-free lunch or planning periods. If anything, teachers will need increased planning time to adequately prepare for alternative instructional methods during the pandemic.

If you believe your district is planning to or has filed a waiver to limit duty free lunch or planning time, you should contact local leadership and your [UniServ coordinator](#). You should also contact your local school board and [your State School Board member](#) and tell them that any waiver around planning and duty-free lunch would be a bad idea and respectfully request that any such waiver be denied.

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