

Model Policy for Unencumbered Time

Purpose.

To establish a statewide policy that each local school board can use to develop and implement a plan that directs the principal of each elementary school to provide at least thirty minutes of unencumbered time on each regular school day to all full-time teachers teaching in grades kindergarten through fifth grade, as required by Section 59-5-63, Code of Laws of South Carolina, 1976. Per proviso 1.105 of the FY 2025-2026 Appropriations Act, principals are also required to give school nurses thirty minutes of unencumbered time.

Procedure on how to implement unencumbered time.

Unencumbered time must be defined as thirty minutes during the regular workday where teachers or school nurses are afforded time that is self-directed without assigned duties or responsibilities, including direct instruction or supervision of students.

The placement of unencumbered time within the workday is flexible based on the staffing and scheduling needs of each school.

The unencumbered thirty minutes must not include parent/teacher conferences, bus duty, IEP and 504 meetings, team meetings, or professional development activities that are not self-directed. Also, the unencumbered time must not include managing or supervising the transition of students to and from activities, classes, lunch, recess, or any other activities.

The provision of thirty minutes of unencumbered time must not be achieved by expanding the expected work hours for teachers before or after the school day.

Leadership may only withhold or reduce a teacher's or school nurse's unencumbered time in a given school day as a result of extreme or unavoidable circumstances. Such circumstances could include, but are not limited to, an emergency drill or an insufficient number of staff and substitute teachers to maintain instruction in the school. In the event of a medical emergency, a school nurse's unencumbered time may be withheld or reduced. Additional compensation may not be offered in place of unencumbered time, except as provided by Section 59-5-63(A)(2)(c).

The intentional failure of the school's principal to provide eligible teachers or school nurses with thirty minutes of unencumbered time may result in appropriate action under the district's disciplinary policy and may be sufficient cause for the suspension or revocation of such person's educator certificate pursuant to Section 59-25-160, Code of Laws of South Carolina, 1976.

The intentional failure of the local school board to provide eligible teachers or school nurses with the required thirty minutes of unencumbered time may subject the board to any penalties prescribed by law.