

Exclusions

Education Code Chapter 21, Subchapter D (relating to continuing contracts) does not apply to a superintendent or a person who is not entitled to a probationary, continuing, or term contract under Education Code 21.002 [see Contract Employees at DC(LEGAL)], an existing contract, or district policy. *Education Code 21.101, .151*

Continuing Contracts

A district that employs a person under a probationary contract for the third or, if permitted, fourth consecutive year of service and that elects to employ the person in future years under a continuing contract shall notify the person in writing of the election to continuing contract status.

The person must, not later than the 30th day after the date of notification, file with the superintendent written notification of acceptance of the continuing contract, beginning with the school year following the conclusion of the person's period of probationary contract employment.

If the person fails to accept the contract within the period prescribed above, the person is considered to have refused to accept the contract.

Education Code 21.153

Former Administrators

A district may grant to a person who has served as a principal or in another administrative position for which certification is required, at the completion of the person's service in that capacity, a continuing contract if the person qualifies for that position under criteria adopted by the board. *Education Code 21.155*

Status Under Continuing Contract

Each person employed under a continuing contract is entitled to continue in the employee's position or a position with the district for future school years, without the necessity for annual nomination or reappointment, until such time as the person:

1. Resigns [see DFE];
2. Retires under the Teacher Retirement System;
3. Is released from employment by the district at the end of a school year because of necessary reduction of personnel [see DFCA];
4. Is discharged for good cause [see DFCA];
5. Is discharged for a reason stated in the teacher's contract that existed on or before September 1, 1995, [see DFD]; or
6. Is returned to probationary status under Education Code 21.106 [see DFAC].

Education Code 21.154