

EMPLOYMENT PRACTICES
TERM CONTRACTS

DCB
(LEGAL)

Term Contracts

Unless employed under a probationary contract [see DCA] or a continuing contract [see DCC], a school district shall employ each classroom teacher, principal, librarian, nurse, or school counselor under a term contract as provided by Education Code Chapter 21, Subchapter E. *Education Code 21.002(a)*

Definition

In this policy, “teacher” means:

1. A superintendent;
2. A principal;
3. A supervisor;
4. A classroom teacher;
5. A school counselor;
6. Any other full-time professional employee who is required to hold a certificate issued under Education Code Chapter 21, Subchapter B [see DK(EXHIBIT)]; or
7. A nurse.

Exclusions

In this policy, the term “teacher” does not include a person who is not entitled to a probationary, continuing, or term contract under Education Code 21.002, an existing contract, or district policy.

Education Code 21.201(1)

District-Required
Certification

If a district requires a person, by policy, job description, or contract, to hold a certificate issued under Education Code Chapter 21, Subchapter B, the district is required to employ the person under a term contract as provided by Education Code Chapter 21, Subchapter E. *Fields v. Alief Indep. Sch. Dist., Tex. Comm’r of Educ. Decision No. 006-R10-10-2014 (2015)*

**Probationary
Contract Required**

Before a teacher may be employed under a term contract, the teacher must be employed under a probationary contract for the period provided by Education Code Chapter 21, Subchapter C [see DCA]. *Education Code 21.202(a)*

Exception

The district may employ a person as a principal or classroom teacher under a term contract if the person has experience as a public school principal or classroom teacher, respectively, regardless of whether the person is being employed by the district for the first time or whether a probationary contract would otherwise be required under Education Code 21.102. *Education Code 21.202(b)*

Contract Terms

A term contract must be in writing and include the terms of employment prescribed by Education Code Chapter 21, Subchapter E. The board may include other provisions in a term contract that are

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consistent with that subchapter. Each term contract is subject to the approval of the board.

The board shall provide each term contract employee with a copy of the employee's contract.

Education Code 21.204(a)–(d)

Maximum Duration Once an employee has completed the probationary contract period, the duration of a term contract may not exceed five school years. *Education Code 21.205*

Employment Policies If the district has a website, the district shall place the board's employment policies on that website. At each school in the district, the board shall make a copy of the employment policies available for inspection at a reasonable time on request.

On request, the board shall also provide each term contract employee with a copy of the employment policies.

Education Code 21.204(d)

Property Interest An employee does not have a property interest in a term contract beyond its term. *Education Code 21.204(e)*