

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS
CHAPTER 21. EDUCATORS
SUBCHAPTER C. PROBATIONARY CONTRACTS

TEC, §21.105. RESIGNATIONS UNDER PROBATIONARY CONTRACT.

- (a) A teacher employed under a probationary contract for the following school year may relinquish the position and leave the employment of the district at the end of a school year without penalty by filing with the board of trustees or its designee a written resignation not later than the 45th day before the first day of instruction of the following school year. A written resignation mailed by prepaid certified or registered mail to the president of the board of trustees or the board's designee at the post office address of the district is considered filed at the time of mailing.
- (b) A teacher employed under a probationary contract may resign, with the consent of the board of trustees or the board's designee, at any other time.
- (c) Subject to Subsections (e) and (f), on written complaint by the employing district, the State Board for Educator Certification may impose sanctions against a teacher employed under a probationary contract who:
 - (1) resigns;
 - (2) fails without good cause to comply with Subsection (a) or (b); and
 - (3) fails to perform the contract.
- (d) If a school district submits a complaint regarding a teacher to the State Board for Educator Certification under Subsection (c), the district shall promptly notify the teacher of the complaint. The notice must include:
 - (1) the basis of the complaint;
 - (2) information regarding how the teacher may contact the State Board for Educator Certification; and
 - (3) a reminder that the teacher should verify that the teacher's mailing address on file with the State Board for Educator Certification is current.
- (e) Before imposing sanctions against a teacher under Subsection (c), the State Board for Educator Certification:
 - (1) must consider any mitigating factors relevant to the teacher's conduct; and
 - (2) may consider alternatives to sanctions, including additional continuing education or training.
- (f) If a teacher fails to timely file a written resignation as required by Subsection (a) but files a written resignation in the manner provided by that subsection not later than the 30th day before the first day of instruction of the following school year, the State Board for Educator Certification may not suspend or revoke the teacher's certificate under Subsection (c).