

TEXAS EDUCATION CODE  
TITLE 2. PUBLIC EDUCATION  
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS  
CHAPTER 21. EDUCATORS  
SUBCHAPTER A. GENERAL PROVISIONS

**TEC, §21.0031. FAILURE TO OBTAIN CERTIFICATION; CONTRACT VOID.**

- (a) An employee's probationary, continuing, or term contract under this chapter is void if the employee:
  - (1) does not hold a valid certificate or permit issued by the State Board for Educator Certification;
  - (2) fails to fulfill the requirements necessary to renew or extend the employee's temporary, probationary, or emergency certificate or any other certificate or permit issued under Subchapter B; or
  - (3) fails to comply with any requirement under Subchapter C, Chapter [22](#), if the failure results in suspension or revocation of the employee's certificate under Section [22.0831](#)(f)(2).
- (b) If a school district has knowledge that an employee's contract is void under Subsection (a):
  - (1) the district may, except as provided by Subsection (b-1):
    - (A) terminate the employee;
    - (B) suspend the employee with or without pay; or
    - (C) retain the employee for the remainder of the school year on an at-will employment basis in a position other than a position required to be held by an employee under a contract under Section [21.002](#) at the employee's existing rate of pay or at a reduced rate; and
  - (2) the employee is not entitled to the minimum salary prescribed by Section [21.402](#).
- (b-1) A school district may not terminate or suspend under Subsection (b) an employee whose contract is void under Subsection (a)(1) or (2) because the employee failed to renew or extend the employee's certificate or permit if the employee:
  - (1) requests an extension from the State Board for Educator Certification to renew, extend, or otherwise validate the employee's certificate or permit; and
  - (2) not later than the 10th day after the date the contract is void, takes necessary measures to renew, extend, or otherwise validate the employee's certificate or permit, as determined by the State Board for Educator Certification.
- (c) A school district's decision under Subsection (b) is not subject to appeal under this chapter, and the notice and hearing requirements of this chapter do not apply to the decision.
- (d) This section does not affect the rights and remedies of a party in an at-will employment relationship.
- (e) This section does not apply to a certified teacher assigned to teach a subject for which the teacher is not certified.
- (f) For purposes of this section, a certificate or permit is not considered to have expired if:
  - (1) the employee has completed the requirements for renewal of the certificate or permit;
  - (2) the employee submitted the request for renewal prior to the expiration date; and
  - (3) the date the certificate or permit would have expired is before the date the State Board for Educator Certification takes action to approve the renewal of the certificate or permit.