

REFERENCE TITLE: school districts; teachers; contract renewal

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

## **SB 1566**

Introduced by  
Senators Bravo: Alston, Bennett, Burch, Marsh; Representatives Ortiz,  
Pawlik

AN ACT

AMENDING SECTIONS 15-536 AND 15-538.01, ARIZONA REVISED STATUTES; RELATING  
TO SCHOOL EMPLOYEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-536, Arizona Revised Statutes, is amended to  
3 read:

4 15-536. Offer of contract to probationary teacher;  
5 acceptance; notice to teacher of intention not to  
6 reemploy; definition

7 A. **ON OR AFTER MARCH 15 OF EACH YEAR**, the governing board shall  
8 offer a teaching contract for the next ensuing school year to each  
9 probationary teacher, unless the governing board, a member of the  
10 **GOVERNING** board acting on behalf of the **GOVERNING** board or the  
11 superintendent of the school district gives notice to the teacher of the  
12 **GOVERNING** board's intention not to offer a teaching contract or unless  
13 such teacher has been dismissed pursuant to section 15-538, 15-539, 15-541  
14 or 15-544. The teacher's acceptance of the contract for the ensuing year  
15 must be indicated within fifteen business days ~~from~~ **AFTER** the date of the  
16 teacher's receipt of the written contract or the offer is  
17 revoked. Receipt under this subsection will be deemed to have occurred  
18 when the written contract is personally delivered, ~~OR~~ placed in the  
19 teacher's school provided mailbox, including ~~electronic mail~~ **EMAIL**, or two  
20 days after being placed in a United States postal service mailbox. The  
21 teacher accepts the contract by signing the contract and returning it to  
22 the governing board or by making a written instrument that accepts the  
23 terms of the contract and delivering it to the governing board. If the  
24 written instrument includes terms in addition to the terms of the contract  
25 offered by the **GOVERNING** board, the teacher fails to accept the contract.

26 B. Notice of the **GOVERNING** board's intention not to reemploy the  
27 teacher shall be by delivering it personally to the teacher or by sending  
28 it by registered or certified mail to the teacher at the teacher's place  
29 of residence as recorded in the school district records. The notice shall  
30 incorporate a statement of reasons for not reemploying the teacher. If  
31 the reasons are charges of inadequacy of classroom performance, the  
32 **GOVERNING** board or its authorized representative shall give the teacher  
33 written preliminary notice of inadequacy, specifying the nature of the  
34 inadequacy with such particularity as to furnish the teacher an  
35 opportunity to correct the inadequacies and maintain adequate classroom  
36 performance as defined by the governing board pursuant to section 15-538,  
37 subsection C. The governing board may delegate to employees of the  
38 governing board the general authority to issue preliminary notices of  
39 inadequacy of classroom performance to teachers pursuant to this  
40 subsection without the need for prior approval of each notice by the  
41 governing board. In all cases in which an employee of the governing board  
42 issues a preliminary notice of inadequacy of classroom performance without  
43 prior approval by the governing board, the employee shall report its  
44 issuance to the governing board within ten school days. The written

1 notice of intention not to reemploy shall include a copy of any evaluation  
2 pertinent to the charges made and filed with the GOVERNING board.

3 C. This section ~~shall~~ DOES not ~~be construed to~~ provide a  
4 probationary teacher with the right to a hearing pursuant to section  
5 15-539, subsection F.

6 D. A certificated teacher who is currently a continuing teacher as  
7 defined in section 15-538.01 but who has been designated after an  
8 evaluation conducted according to the requirements pursuant to section  
9 15-537 in the lowest performance classification for the current school  
10 year shall become a probationary teacher ~~as defined in section 15-536~~ for  
11 the subsequent school year and shall remain a probationary teacher until  
12 that teacher's performance classification is designated in either of the  
13 two highest performance classifications.

14 E. For the purposes of this section, "probationary teacher" means a  
15 certificated teacher who is not a continuing teacher.

16 Sec. 2. Section 15-538.01, Arizona Revised Statutes, is amended to  
17 read:

18 15-538.01. Offer of contract to continuing teacher:  
19 definition

20 A. ON OR AFTER MARCH 15 OF EACH YEAR, the governing board shall  
21 offer to each continuing teacher a contract renewal for the next ensuing  
22 school year unless the governing board, a member of the GOVERNING board  
23 acting on behalf of the GOVERNING board or the superintendent of the  
24 school district gives notice to the teacher of the GOVERNING board's  
25 intent not to offer a contract and to dismiss the teacher as provided in  
26 section 15-539.

27 B. The teacher's acceptance of the contract must be indicated  
28 within fifteen business days ~~from~~ AFTER the date of the teacher's receipt  
29 of the written contract or the offer of a contract is revoked. Receipt  
30 under this subsection will be deemed to have occurred when the written  
31 contract is personally delivered, ~~OR~~ placed in the teacher's school  
32 provided mailbox, including ~~electronic mail~~ EMAIL, or two days after being  
33 placed in a United States postal service mailbox. The teacher accepts the  
34 contract by signing the contract and returning it to the governing board  
35 or by making a written instrument that accepts the terms of the contract  
36 and delivering it to the governing board. If the written instrument  
37 includes terms in addition to the terms of the contract offered by the  
38 GOVERNING board, the teacher fails to accept the contract.

39 C. A certificated teacher who is currently a continuing teacher ~~as~~  
40 ~~defined in this section~~ but who has been designated after an evaluation  
41 conducted according to the requirements pursuant to section 15-537 in the  
42 lowest performance classification for the current school year shall become  
43 a probationary teacher as defined in section 15-536 for the subsequent  
44 school year and shall remain a probationary teacher until that teacher's

1 performance classification is designated in either of the two highest  
2 performance classifications.

3 D. For the purposes of this section, "continuing teacher" means a  
4 certificated teacher who has been and is currently employed by the school  
5 district for the major portion of three consecutive school years and who  
6 has not been designated in the lowest performance classification for the  
7 previous school year or who has not regained continuing status after being  
8 designated as a probationary teacher pursuant to subsection C of this  
9 section.