

Senate Engrossed

school districts; teachers; contract renewal

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

SENATE BILL 1566

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.