



## Arizona State Board of Education

1700 W. Washington Street  
Executive Tower, Suite 300  
Phoenix, Arizona 85007  
Phone: (602) 542-5057  
Website: azsbe.az.gov



July 17, 2023

### **In wake of Attorney General ruling, Arizona State Board of Education will not take action toward schools using 50-50 Dual Language Immersion SEI Model**

Today, the Arizona Attorney General released its formal opinion on the question of the 50-50 Dual Immersion SEI Model approved by the State Board of Education in 2020. The opinion states,

*In sum, the Board has sole statutory authority to delete or modify an SEI model. Further, the Board holds the authority to make the final determination as to whether a school district or charter school is noncompliant and ineligible for ELL funding...*

*Because the Dual Language Model is a Board-approved SEI model, no waiver is required for schools that utilize the Dual Language Model to serve ELLs. See §§ 15-752, -753, -756.01(A).*

<https://www.azag.gov/sites/default/files/2023-07/I23-005.pdf><sup>1</sup>

In accordance with this finding, the Arizona State Board of Education will not alter the state's current approved Structured English Immersion models, including the 50-50 Dual Language Immersion Model.

Additionally, the Board will not take action against any school that is using the 50-50 Dual Immersion Model to instruct English language learners.

Recently, the Arizona Department of Education raised the possibility that the 50-50 Dual Language Immersion Model, one of four research-based models approved by the Arizona State Board of Education in 2020, might conflict with [Proposition 203](#)<sup>2</sup>.

In response, Representative Jennifer Pawlik requested an opinion from the Arizona Attorney General's Office. Given the clarification of [today's opinion](#)<sup>3</sup>, the current practices of the Arizona State Board of Education will continue.

To make changes to policy, a majority vote of the board's 11 members, which includes the Superintendent of Public Instruction, is required.

---

<sup>1</sup> Attorney General's Opinion: <https://www.azag.gov/sites/default/files/2023-07/I23-005.pdf>

<sup>2</sup> Proposition 203: <https://apps.azsos.gov/election/2000/Info/pubpamphlet/english/prop203.htm>

<sup>3</sup> Attorney General's Opinion: <https://www.azag.gov/sites/default/files/2023-07/I23-005.pdf>

---

**President:** Dr. Daniel Corr • **Vice President:** Katherine Haley  
**Superintendent of Public Instruction:** Tom Horne  
Jason Catanese • Jenny Clark • Dr. Jacqui Clay • Dr. Scott Hagerman  
Julia Meyerson • Karla Phillips-Krivickas • Dr. Robert Robbins  
**Executive Director:** Sean Ross