

FINAL BILL REPORT

HB 1263

C 115 L 91
Synopsis As Enacted

Brief Description: Eliminating the citizenship requirement for teachers.

By Representatives Peery, Cole, Dorn and Holland.

House Committee on Education
Senate Committee on Education

Background: To be eligible for a standard teaching certificate in Washington, a person must either be a U.S. citizen or have declared his or her intent to become a U.S. citizen. Some noncitizens are unable to meet this requirement due to a conflict created by the interaction of federal and state law.

Under federal law, noncitizens can file a declaration of intent to become a U.S. citizen only if they have residency status (a "green card"). Noncitizens qualify for residency status in a variety of ways. One way is to have a job arranged for which no qualified U.S. citizen is available. Other ways of qualifying for residency status include the determination that one is a refugee, or having a U.S. citizen who is a relative petition on behalf of the noncitizen. Under federal law, a noncitizen who wants to obtain residency status by arranging a teaching job must be certified as a teacher by the state.

Therefore, under federal law, noncitizens can not obtain residency status and file a declaration of intent under the arranged job alternative until after they are certified to teach by the state in which they wish to teach. However, under Washington law, noncitizens can not become certified until they have filed their declaration of intent. As a result, some noncitizens are unable to meet either the federal or Washington law requirements and can not teach in Washington until they become citizens. Additionally, the federal declaration of intent form is no longer required for federal immigration purposes and is becoming obsolete.

Washington law does allow noncitizens to obtain a limited certificate to teach foreign language or to participate in a teacher exchange program in Washington schools without declaration of an intent to become a U.S. citizen.

Summary: The citizenship requirement for teachers is eliminated.

Votes on Final Passage:

House	93	0	
Senate	40	6	(Senate amended)
House	96	0	(House concurred)

Effective: May 9, 1991