

SENATE BILL REPORT

HB 1263

AS REPORTED BY COMMITTEE ON EDUCATION, APRIL 5, 1991

Brief Description: Eliminating the citizenship requirement for teachers.

SPONSORS: Representatives Peery, Cole, Dorn and Holland.

HOUSE COMMITTEE ON EDUCATION

SENATE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended.

Signed by Senators Bailey, Chairman; Craswell, Murray, Oke, Pelz, Rinehart, A. Smith, and Talmadge.

Staff: Susan Mosborg (786-7439)

Hearing Dates: April 5, 1991

BACKGROUND:

To be eligible for regular teacher certification under state law, a person must either be a U.S. citizen or have declared his or her intent to become a U.S. citizen. Many noncitizens are unable to meet this requirement due to a conflict created by the interaction of federal and state law. Under federal law, persons can file a declaration of intent to become a U.S. citizen only if they have residency status (a "green card"), which persons may get only if they have a job arranged for which no qualified U.S. citizen is available, if they are a refugee, or if a U.S. citizen-relative petitions on their behalf. To be considered for a job-available green card to take a teaching job, however, a person must first be certified as a teacher by the state. In practice, this is not possible because an applicant is not eligible for teacher certification in the state unless he or she has already declared intent to become a citizen, which requires a green card. Additionally, the federal declaration of intent form is no longer required for federal immigration purposes and is becoming obsolete.

State law does permit noncitizens to obtain a limited certificate to teach foreign language or participate in a formal teacher exchange program in Washington schools without declaring intent to become a U.S. citizen.

SUMMARY:

The citizenship requirement for teachers is repealed.

Appropriation: none

Revenue: none

Fiscal Note: none requested

SUMMARY OF PROPOSED SENATE AMENDMENT:

An emergency clause is added to allow the act to be of use in hiring teachers for the 1991-92 school year.

TESTIMONY FOR:

The bill corrects a "Catch-22" between state and federal law. The bill passed the House 93-0.

TESTIMONY AGAINST: None

TESTIFIED: Robert Tulloch, Washington Chapter, American Immigration Lawyers Association (pro)