

HOUSE BILL REPORT

HB 1263

As Amended by the Senate

Title: An act relating to citizenship requirements for teachers.

Brief Description: Eliminating the citizenship requirement for teachers.

Sponsor(s): Representatives Peery, Cole, Dorn and Holland.

Brief History:

Reported by House Committee on:
Education, February 13, 1991, DP;
Passed House, March 20, 1991, 93-0;
Amended by Senate.

**HOUSE COMMITTEE ON
EDUCATION**

Majority Report: *Do pass.* Signed by 15 members:
Representatives Peery, Chair; G. Fisher, Vice Chair; Brough,
Ranking Minority Member; Vance, Assistant Ranking Minority
Member; Betrozoff; Cole; Dorn; P. Johnson; Jones; Neher;
Orr; Phillips; Rasmussen; H. Sommers; and Valle.

Staff: Susan Kirkpatrick (786-7291).

Background: Under Washington law, qualified noncitizen teachers can not receive a permanent teaching certificate and teach in Washington schools unless they have declared an intent to become a citizen. A qualified non-citizen may receive a temporary certificate to teach a foreign language without filing an intent to become a citizen.

However, under federal immigration law, certain categories of noncitizens can not file a declaration of intent to become a citizen unless they are already certified. Since they can not become certified in Washington without filing a declaration of intent they 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.

Summary of Bill: The citizenship requirement for teachers is eliminated.

EFFECT OF SENATE AMENDMENT(S): An emergency clause is added.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Because of the catch-22 between federal immigration law and Washington law, some categories of noncitizens are unable to obtain teacher certification until they become citizens, a process which, on average, takes five years. Only three other states have absolute citizenship requirements. Allowing school districts to hire noncitizen teachers would help alleviate teacher shortages, encourage flexibility in school districts, especially in rural areas, and would bring multicultural diversity to Washington schools.

Testimony Against: None.

Witnesses: Robert Tulloch, American Immigration Lawyers Association (in favor); Andrew Rodriguez, Director of the Commission of Hispanic Affairs (in favor); and Patricia Lee, Director of the Commission on Asian-American Affairs (in favor).

VOTE ON FINAL PASSAGE:

Yeas 93; Nays 0; Excused 0; Absent 5

Absent: Representatives Basich, Cooper, Hargrove, H. Myers and Rayburn.