

EXHIBIT 69

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA and JANET NAPOLITANO,
in her official capacity as President of the
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND
SECURITY and ELAINE DUKE, in her
official capacity as Acting Secretary of the
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF ELOY ORTIZ
OAKLEY**

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STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,

Plaintiffs,

v.

UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,

Defendants.

CASE NO. 17-CV-05380-WHA

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COUNTY OF SANTA CLARA and
SERVICE EMPLOYEES INTERNATIONAL
UNION LOCAL 521,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States, JEFFERSON
BEAUREGARD SESSIONS, in his official
capacity as Attorney General of the United
States; ELAINE DUKE, in her official
capacity as Acting Secretary of the Department
of Homeland Security; and U.S.
DEPARTMENT OF HOMELAND
SECURITY,

Defendants.

CASE NO. 17-CV-05813-WHA

1 I, Eloy Ortiz Oakley, declare:

2 1. I am the current Chancellor of the California Community Colleges. I assumed my current
3 office in December of 2016, and in this role I am the chief executive officer of the Board of Governors of
4 the California Community Colleges (“Board of Governors”), and the head of the California Community
5 Colleges Chancellor’s Office (“CCCCO”), a California state agency. I am ultimately responsible for
6 developing and implementing statewide policy for the California Community College System, including
7 policies related to ensuring broad access to post-secondary education. And as the head of the largest
8 community college system in the nation, I am responsible for providing national policy leadership in this
9 area.

10 2. Prior to holding my current position, I served as the Superintendent-President of the Long
11 Beach Community College District (“LBCCD”) from 2007 – 2015. During this phase of my career, I
12 was responsible for implementing educational policy at the college level, and ensuring and measuring
13 successful outcomes for students. During my tenure at LBCCD, I helped form the “Long Beach College
14 Promise,” a program that engages high school administrators and teachers to work with college faculty
15 and staff to create structured pathways for students to follow as they progress from one educational
16 institution to the next. Long Beach College Promise enhanced access to postsecondary education by
17 extending the promise of a college education to every student in the community. Long Beach College
18 Promise served as a model for “America’s College Promise,” a national initiative introduced by
19 President Barack Obama in 2015.

20 3. The California Community College System is the largest post-secondary institution in the
21 United States, with more than 2.1 million students attending one of our 114 colleges. With low tuition
22 and a longstanding policy of full and open access, the California Community Colleges were established
23 around the principle that higher education should be available to everyone. Our colleges are the state’s
24 most common entry point into collegiate degree programs, the primary system for delivering career
25 technical education and workforce training, a major provider of adult education, apprenticeship and
26 English as a Second Language courses, and a source of lifelong learning opportunities for California’s
27 diverse communities.
28

1 4. The California Equity in Higher Education Act establishes the policy of the State of
2 California to afford all persons equal rights and opportunities in postsecondary educational institutions,
3 including the California Community Colleges. Cal. Ed. Code, §§ 66251, 68130.5. The Board of
4 Governors has declared that the California Community Colleges are committed to serving all students
5 who can benefit from a post-secondary education, without regard to race, ethnicity, national origin, or
6 immigration status, and fully supports the promotion of programs, initiatives and policies designed to
7 implement these values of community and inclusion. See Resolution of the Board of Governors No.
8 2017-01 [January 17, 2017], a true and correct copy of which attached as Exh. A. The Board's
9 commitment to diversity, inclusion, and open access to our colleges, is supported by peer-reviewed
10 academic research that indicates students' college experiences and educational outcomes are enhanced
11 by attending institutions with a diverse student body. See, e.g., "*Does Diversity Make a Difference?*"
12 American Council on Education and American Association of University Professors (2000), a true and
13 correct copy of which is attached as Exh. B.

14 5. The State of California is home to approximately 198,000 people who are participating in
15 the federal Deferred Action for Childhood Arrivals ("DACA") program. These young people are now
16 working, studying at college, or enlisting in the armed services. With access to work permits, they are
17 making immediate contributions to our society and economy. Although the CCCCCO does not collect
18 data on DACA status, it is likely that significant numbers of California community college students are
19 participating in the DACA program and benefit from the associated legal protections and financial
20 opportunities that provide the stability and security necessary to pursue a higher education. The
21 California community college system is an attractive option for all eligible students in California,
22 including DACA recipients, due to our low costs, open access policy and convenient locations
23 throughout the state.

24 6. Many DACA students in the California Community College System qualify for, and
25 presumably receive, financial aid from the State of California. Such aid would include California
26 College Promise Grants, which cover community college enrollment fees for eligible students, and Cal
27 Grants, which cover tuition and other education-related expenses for eligible students (see the CCCCCO's
28 *I Can Afford College* campaign website at www.icanaffordcollege.com for more information).

1 California has invested in our DACA students and the community college system benefits from their
2 perspective, talents and enthusiasm. DACA has allowed our students to take full advantage of a
3 community college education. It furthers our system's efforts to supply an educated and skilled
4 workforce to the state, and is critical to meeting California's civic and economic needs. See CCCCO
5 Report, Task Force on Workforce, Job Creation, and a Strong Economy (2015), a true and correct copy
6 of which is attached as Exh. C.

7 7. The Board of Governors has adopted multiple resolutions supporting DACA students and
8 urging the federal government to maintain the DACA program. *See* Resolution of the Board of
9 Governors No. 2017-01 [January 17, 2017], attached as Exh. A, and Resolution No. 2017-04 [September
10 18, 2017], a true and correct copy of which is attached as Exh. D. Under my direction, the CCCCO has
11 invested substantial time, energy, and resources to support our DACA students. We have alerted them
12 to the federal government's rescission of the program, and ensured they are aware of available resources
13 and of applicable renewal deadlines. These efforts have included the formation of a DACA Rapid
14 Response Committee comprised of members of the Board of Governors, CCCCO staff, representatives
15 from the Academic Senate for California Community Colleges, college presidents and students. The
16 CCCCO has engaged in an extensive multi-lingual and multi-media campaign that has included the
17 preparation of media statements and talking points for community college districts, media interviews
18 and op-eds by the Chancellor, radio spots, posters and other media for every high school and community
19 college in California, and social media content on Facebook, Twitter and Instagram. The CCCCO has
20 also dedicated a section of its website to provide the latest resources and information for DACA
21 students, faculty, and administrators within our system.

22 8. If the DACA program is eliminated, it will have a severe impact on the California
23 Community College's DACA students, their families, and the resources of the 114 community colleges
24 throughout the state. The elimination of work authorization would prevent hard-working students from
25 earning wages to pay for education and daily living expenses, and deprive our colleges of talented
26 faculty and staff who help our colleges serve the State of California and meet our educational mission.
27 The threat of deportation would obviously have a negative impact on student retention and academic
28 success. Eighty-two percent of the funding appropriated for community college districts statewide is

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apportioned based upon the number of students enrolled in courses. Given that nearly 200,000 young people in California have DACA, the reduced enrollment attributable to the rescission of the DACA program would have a substantial negative fiscal impact on many California community college districts, reducing their ability to provide educational programs and supportive services for our students.

9. California’s society would also be affected adversely. The state has already invested considerable resources in the education and training of DACA recipients, with the expectation that they will develop into contributing members of society, filling jobs, starting businesses, and paying taxes. DACA rescission would needlessly remove a talented, educated, and well-prepared cohort of needed individuals from the state’s workforce. Worse, many of these individuals provide skilled labor in areas with existing workforce shortages; their removal will only exacerbate the shortage, and harm the California economy. See CCCCCO White Paper, Task Force on Workforce, Job Creation, and a Strong Economy, a true and correct copy of which is attached as Exh. E.

10. The rescission of DACA would have a harmful impact on the California Community College System, its students, employees, and educational mission.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on October 26, 2017, at Sacramento, California.



Eloy Ortiz Oakley
Chancellor
The California Community Colleges