



Dear Colleague,

This morning the United States Supreme Court issued its opinion in the case entitled *Department of Homeland Security v. Regents of the University of California*. The Court held that the Department of Homeland Security (DHS) improperly rescinded the Deferred Action for Childhood Arrivals (DACA) program in violation of the Administrative Procedures Act. The Court found that DHS acted in an “arbitrary and capricious” manner when it chose to rescind the DACA Program without considering alternatives or how abruptly ending the program might affect recipients’ reliance on the benefits conferred under it, such as work authorization and protections against deportation.

This decision, while a victory for DACA recipients, is a narrow one. While the Supreme Court acknowledged that DHS has the authority to rescind DACA, it stressed that the case was about “whether the agency complied with the procedural requirements that it provide a reasoned explanation for its action.” As explained above, the Court found that DHS had not done so. However, the Court also explained that DHS could “consider the problem anew.”

In practical terms, the Supreme Court’s decision means that the DACA Program remains in effect. Thus, California Community College students with DACA status continue to enjoy the benefits available to them. Nevertheless, because DHS remains free to once more attempt to rescind DACA in a manner that will survive legal scrutiny, members of the California Community Colleges, whether administrators, faculty, staff, or students should remain vigilant for further developments in this area. We thank the organizers, undocu-allies, and undocumented youth who have relentlessly fought for this outcome, and recognize there is still much work to do. Because the Court’s ruling makes clear DACA remains vulnerable, we will continue to advocate for a comprehensive path to citizenship. In the meantime, our colleges and students can start taking immediate actionable steps today:

1. Encourage students to meet with an immigration attorney for a thorough review of any possible immigration remedies. The California Department of



Social Services (CDSS) has a [comprehensive list](#) of free and low-cost legal service providers.

2. If students are eligible to renew their DACA status, CDSS is currently offering financial assistance to cover the cost of the United States Citizenship and Immigration Services (USCIS) fees through one of the providers on this [list](#).
3. [View the webinar](#) on how community colleges can leverage existing programs to provide emergency aid or other services to undocumented students.
 - a. [Review the memo](#) on eligibility of all California community college students to receive assistance under the CARES Act.
4. Participate in a June 24 webinar, "[DACA decision and what it means for higher education](#)," hosted by the Chancellor's Office, Foundation for California Community Colleges, Immigrant Legal Resource Center and the California State University Chancellor's Office.
5. Collaborate with [mental health providers](#) to provide students and allies an outlet to process the DACA decision.
6. Seek out philanthropic dollars through your district's foundation offices to support undocumented students with their DACA filing fees.
7. A monthly newsletter with resources and up to date information. If you are not receiving the newsletter, please sign up [here](#).

Today's victory gives us hope for continuing efforts to support undocumented students in their educational and career pathways. We will continue to send updates as warranted as we follow the effects of today's ruling.

Sincerely,

A handwritten signature in black ink, appearing to read 'EO', with a stylized flourish at the end.

Eloy Ortiz Oakley