

December 18, 2023

Dear President Drake, Chair Leib, and other Regents of the University of California:

We the undersigned are faculty members at the University of California (UC). We write regarding the [Regents policy](#) on Equitable Student Employment Opportunities, adopted on May 18, 2023, which states that “[t]he University is committed to providing equitable access to quality higher education for all of its students regardless of immigration status.” As you know, that policy has yet to be implemented.

We write for two related reasons: to express our support in the strongest possible terms for the campaign by undocumented students to obtain equal educational opportunities at the UC (the [Opportunity for All](#) Campaign); and to make clear that *we will hire undocumented students* into educational employment positions for which they are qualified once given authority to do so by the UC. We understand that scholars at the UCLA School of Law have [published a memo](#) explaining that the UC has legal authority to authorize the hiring of undocumented students, and that their theory has been endorsed by 29 professors with deep expertise in the relevant fields of law, including the Deans of the UC Berkeley and UC Davis law schools. We strongly support the campaign.

First and foremost, as faculty from across disciplines and UC campuses, we have witnessed the intellectual richness, creativity, and work ethic of our undocumented students both in the classroom and outside of it. They are no less gifted than the rest of the university’s students, and for that reason alone deserve the same opportunities to succeed.

Second, we believe deeply in our moral obligation to give all students the same educational opportunities, rather than favoring some over others. When we seek to hire students to serve as Research Assistants, Teaching Assistants, or in similar positions, we hire the most qualified students. We cannot arbitrarily disqualify some candidates based on their immigration status. Several of us have had to bear witness as our undocumented students have faced the demoralizing process of applying for a university educational employment opportunity, being selected as the top candidate for the position, but then being turned away at the final hiring stage because of their lack of status. As faculty, we cannot remain mere idle participants in such a “separate but equal” educational system.

Third, UC cannot sustain its commitment to excellence while we deny educational employment opportunities to some of our most talented students because they are undocumented. UC prides itself on being a leading innovator in research across various disciplines with the support of its diverse student body. As our [undocumented students have explained](#), they have foregone admission to other leading educational institutions in reliance on the promises of support and community they received from UC. As inequitable treatment continues, future

undocumented students may well choose to enroll at other universities where they can receive greater financial support and have fewer costs. Even within California, we have reason to believe that UC is already losing undocumented students to the California State and Community College systems due to lower tuition and other costs.

We recognize of course that many forces have conspired to create the current system's inequities, several of which are well beyond the UC's control. Most obviously, the slow demise of the Deferred Action for Childhood Arrivals (DACA) program at the hands of various federal actors has led to a growing number of students without work authorization attending UC in the last few years. Nonetheless, the UC has contributed to the plight of these students by promising them equal educational opportunities. And, regardless of who is to blame, the UC has an obligation to take all steps in its power to remedy the discrimination occurring on its campuses.

We write with urgency now because we understand that university leadership may be wavering in its commitment to end this injustice. We ask that you hold firm to your promise from this past May to ensure equal opportunity for all of our students. We have confidence in the analysis of the 29 prominent legal scholars who have explained that the UC is not required to discriminate against its undocumented students in the way it currently does. And we reiterate that we are all committed, in our own roles as faculty, to hiring undocumented students whenever we select them as the most qualified students for the positions over which we have responsibility. To be clear: *we will hire the best students regardless of immigration status* as soon as we are given the ability to do so. We ask that you provide us that authority as soon as possible.

Thank you for your attention.

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