STEPHEN W MANNING, OSB No. 013373
stephen@innovationlawlab.org,
smanning@ilgrp.com
INNOVATION LAW LAB
333 SW 5th Ave., Suite 200
Portland, OR 97204-1748
Telephone: +1 503-922-3042

Pro hac vice

Additional counsel on last page

STANLEY YOUNG, CA No. 121180*
syoung@cov.com
JEHAN A. PATTERSON, D.C. No. 1012119*
jpatterson@cov.com
SABRINA MCGRAW, CA No. 334120*
smcgraw@cov.com
AMBER LOWERY, D.C. No. 1780982*
alowery@cov.com
ANALESE BRIDGES, D.C. No. 90029992*
abridges@cov.com
EVAN CHIACCHIARO, D.C. No. 90037819*
echiacchiaro@cov.com
COVINGTON & BURLING LLP
One CityCenter, 850 Tenth Street, NW
Washington, DC 20001-4956
Telephone: +1-202-662-5129

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

PINEROS Y CAMPESINOS UNIDOS DEL NOROESTE; AUGUSTANA LUTHERAN CHURCH; OUR LADY OF GUADALUPE PARISH; SAN FRANCISCO INTERFAITH COUNCIL; WESTMINSTER PRESBYTERIAN CHURCH; NATIONAL EDUCATION ASSOCIATION; AMERICAN FEDERATION OF TEACHERS; AMY LOMANTO; HANNA MAE ANDERSON; LAUREN FONG; and CAROLINE KEATING MEDEIROS,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as Secretary of Homeland Security; U.S. DEPARTMENT OF HOMELAND SECURITY; TODD LYONS, in his official capacity as Acting Director of Immigration and Customs Enforcement; U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT; RODNEY S. SCOTT in his official capacity as Commissioner of Customs and Border Protection; U.S. CUSTOMS AND BORDER PROTECTION,

Defendants.

Civil Action No.: 6:25-cv-699-AA

DECLARATION OF ROCIO INCLÁN-RODRIGUEZ IN SUPPORT OF PLAINTIFFS NATIONAL EDUCATION ASSOCIATION AND AMERICAN FEDERATION OF TEACHERS' MOTION FOR STAY UNDER 5 U.S.C. § 705

DECLARATION OF ROCIO INCLÁN-RODRIGUEZ IN SUPPORT OF PLAINTIFFS NATIONAL EDUCATION ASSOCIATION AND AMERICAN FEDERATION OF TEACHERS' MOTION FOR STAY UNDER 5 U.S.C. § 705

I, Rocio Inclán-Rodriguez, upon my personal knowledge, hereby declare under penalty of perjury as follows:

1. My name is Rocio Inclán-Rodriguez. The facts set forth in this declaration are based on my personal knowledge, unless otherwise indicated, and, if called as a witness, I could and would testify thereto. I am over eighteen years of age and of sound mind to declare to the facts stated herein.

2. I am the Senior Director of the Center for Racial and Social Justice ("CRSJ") of the National Education Association ("NEA"). I am authorized to provide this declaration on behalf of NEA, which is a plaintiff in the above-captioned matter.

3. CRSJ supports state and local affiliates to expand equal opportunity for our nation's students, their families, and the educators that support them. CRSJ directly engages NEA's members and leaders on a variety of advocacy issues, including supporting and protecting all students and ensuring that our nation's schools are safe places for all students, regardless of their immigration status. CRSJ does this work by supporting and uplifting member-led advocacy around racial and social justice, leading leadership development programs, providing grant funding, supporting community organizing efforts, engaging in community partner alliances, and offering professional development training.

4. As Senior Director, I manage and am deeply involved in the work of CRSJ, and through this work I speak to NEA members at NEA meetings, trainings, and conferences.

The National Education Association's Members and Mission

5. NEA is the nation's oldest and largest education union, representing nearly 3 million members who work at every level of education—from pre-school to university graduate

programs. Our members include aspiring educators, K-12 classroom teachers, education support professionals, school counselors, school psychologists, and other professional support personnel, as well as higher education faculty and staff who engage in a variety of educational activities both inside and outside of the classroom.

6. NEA was founded in 1857. Presently, NEA has statewide affiliates in every state and local affiliates in almost 14,000 communities across the United States. NEA's Constitution and Bylaws provide for unified membership in NEA, meaning that in order to become an NEA member, individuals must also join their local and state affiliate, where they are eligible to do so. Therefore, NEA members are also members of their state and local affiliate.

7. Some state affiliates of NEA are merged affiliates of both NEA and the American Federation of Teachers ("AFT"). For instance, Education Minnesota is a merged affiliate, and the members of Education Minnesota are members of both NEA and AFT.

8. NEA is a democratically governed union. Our highest governing body is the NEA Representative Assembly, which consists of thousands of duly elected delegates who meet annually to approve NEA's budget, elect NEA's officers, adopt and amend NEA's Constitution, Bylaws and Standing Rules, and chart the course of the organization for the coming year. NEA's overall goals, as adopted by the duly elected delegates to the NEA Representative Assembly, are set forth in the Preamble to the NEA Constitution, and include that NEA will serve "as the national voice for education" and "advance the cause of public education for all individuals." The Preamble also states that NEA will "advance [our members'] interests and welfare" and will "promote and protect human and civil rights."

9. NEA's mission, as adopted by the duly elected delegates to the 2006 Representative Assembly, "is to advocate for education professionals and to unite our members and the nation to

fulfill the promise of public education to prepare every student to succeed in a diverse and interdependent world."

10. NEA's work in furtherance of that mission is guided by our core values, as adopted by the NEA Representative Assembly. These core values include that: "[P]ublic education is the gateway to opportunity. All students have the human and civil right to a quality public education that develops their potential, independence, and character."

11. NEA's specific objectives are laid out in the Bylaws of NEA, as adopted by the NEA Representative Assembly. These specific objectives are directed toward the achievement of NEA's stated goals and include, "to promote and to protect the rights and welfare of its members." These objectives also include, "to promote the rights and welfare of all students; to assist students in realizing their maximum potential; [and] to develop and provide leadership in solving social problems,".

12. NEA's Resolutions are formal expressions of opinion of the NEA, which are adopted by the NEA Representative Assembly. NEA Resolution I-28 states that NEA supports "equal access to educational opportunities for immigrants" and "opposes any immigration policy that denies human and/or civil rights or educational opportunities to immigrants and their children."

Harm to NEA's Members

13. NEA's members serve over 50 million students around the country. NEA's members include educators who teach in school districts, colleges and universities with large populations of students who live in mixed status families, are immigrants, refugees, and others who are newcomers to this country. NEA members also teach in diverse classrooms, some of which comprise majority students of color.

14. Nearly one of every 100 people in the U.S. is an NEA member. Because of the large and varied nature of NEA's membership, NEA's members include those who are or were noncitizens, including lawful permanent residents, recipients of Deferred Action for Childhood Arrivals ("DACA"), and holders of Temporary Protected Status ("TPS") and various types of visas or green cards. NEA's members also include the children of immigrants and people of diverse racial and ethnic backgrounds who may be perceived as non-citizens.

15. Since the rescission of the sensitive protections policy in January 2025, I have heard from NEA's members their concerns about the loss of protections against immigration enforcement at and around schools, as well as how they have been impacted by this distressing change.

16. I have heard from NEA members that they are experiencing stress and worry about immigration enforcement occurring at and around their schools. Even when our members work in schools that have adopted protective policies around interactions with immigration enforcement, our members cannot be assured that immigration enforcement by federal officials will not occur on school grounds or nearby because these locations are no longer protected. For NEA members, who are acting *in loco parentis* while their students are in school, their duty to keep all their students safe is paramount. I have heard from many NEA members their concern and worry about their ability and responsibility to keep all their students safe if immigration enforcement occurs at or near their schools.

17. These worries were not unwarranted. Both NEA members' accounts and reports in the news show that immigration enforcement actions are taking place at and near school grounds, at school bus stops, and on and near college and university campuses, in communities around the county. On January 7, 2026, immigration enforcement agents came onto the grounds of Roosevelt

High School in Minneapolis, Minnesota during school dismissal where they tackled school staff, got into altercations with students, and released tear gas on bystanders, including students and educators. NEA members are educators at Roosevelt High School. And while the overall situation in Minneapolis has garnered national attention, NEA members across the United States have reported seeing immigration agents in school parking lots, positioned near or outside schools during arrival and dismissal times, and at school bus stops.

18. I have heard from members that because students no longer feel safe from immigration enforcement at or near their school, students are exhibiting more behavioral problems, stress and anxiety and are requiring greater mental and emotional support. This means that our members have to spend even more time working with students to support and educate them which is difficult on already overburdened and underpaid educators.

19. Members have also expressed concern about decreasing parental involvement in schools as parents are afraid to attend school events for fear of immigration enforcement occurring at or near school. The involvement of parents is crucial in supporting the educational achievement of students. As a result, educators are taking extra time to connect with parents and families in order to support their students.

20. Members have told me that since the sensitive locations policy was rescinded, they have noticed increasing student absenteeism in their schools. Some at-risk students are even disenrolling. This is because students and families no longer feel safe at school bus stops, at drop-off and pick-up on school grounds, or even inside the school building.

21. Absenteeism has consequences for NEA's members. It makes their jobs harder, by forcing them to spend more time trying to engage with absent students and provide materials that those students can do at home. It also can put members' jobs in limbo. In states like California and

Texas, school funding is tied to average daily student attendance. The increase in absenteeism and drops in enrollment due to the end of sensitive locations protections thus may lead to school funding cuts, eliminating essential educator and student supports and even members' jobs.

22. Some school districts and higher-education institutions are also moving to virtual learning in order to accommodate students' fears of being on campus. This means that NEA members must take the time to adjust their lessons to an online format and make necessary technological arrangements. In some cases, they must prepare and deliver twice as much material as usual, to accommodate students learning both in person and online. These are significant burdens on our members, requiring them to work even longer hours without extra pay in order to educate their students. In these situations, virtual learning typically cannot deliver the same quality of instruction and undermines student engagement, and undermines delivery of services for special education services.

23. Our noncitizen members have expressed to me their concerns and fear about being targeted for immigration enforcement at school. Even U.S. citizen members who might be perceived as noncitizens—based on the color of their skin, their surname, or accent—have grown fearful they may be accosted and arrested and detained by immigration enforcement agents at or around work. Some have begun carrying their U.S. Passports at work to present to immigration enforcement agents to try to prevent being arrested and detained.

24. NEA's members have also expressed distress at the prospect of their students witnessing—or being subject to—traumatizing immigration enforcement actions at and near their schools. To address the prospect of immigration enforcement endangering students, educators are spending additional hours to accompany students on buses and their walks to and from school.

Many are gravely concerned that they can no longer fulfill their obligation to keep their students safe at school.

I declare under penalty of perjury under the laws of the United States that, to the best of my knowledge, the foregoing is true and correct.

Executed in Washington, D.C. on February 10, 2026

Rocio Inclán-Rodriguez

STEPHEN W MANNING, OSB No. 013373
stephen@innovationlawlab.org,
smanning@ilgrp.com
TESS HELLGREN, OSB No. 191622
tess@innovationlawlab.org
RACHEL LANDRY, Mass. No.713320*
rachel@innovationlawlab.org
NELLY GARCIA ORJUELA, OSB No.223308
nelly@innoationlawlab.org
INNOVATION LAW LAB
333 SW 5th Ave., Suite 200
Portland, OR 97204-1748
Telephone: +1 503-922-3042

STANLEY YOUNG, CA No. 121180*
syoung@cov.com
JEHAN A. PATTERSON, D.C. No. 1012119*
jpatterson@cov.com
SABRINA MCGRAW, CA No. 334120*
smcgraw@cov.com
AMBER LOWERY, D.C. No. 1780982*
alowery@cov.com
ANALESE BRIDGES, D.C. No. 90029992*
abridges@cov.com
EVAN CHIACCHIARO, D.C. No. 90037819*
echiacchiaro@cov.com
Covington & Burling LLP
One CityCenter, 850 Tenth Street, NW
Washington, DC 20001-4956
Telephone: +1-202-662-5129

Attorneys for Plaintiffs

Pro hac vice
***Pro hac vice application forthcoming*

BRANDON GALLI-GRAVES, Tx. No. 24132050*
brandon.galli-graves@justiceactioncenter.org
ESTHER H SUNG, Cal. No. 255962*
esther.sung@justiceactioncenter.org
KAREN C TUMLIN, Cal. No. 234961*
karen.tumlin@justiceactioncenter.org
HILLARY LI, Ga. No. 898375*
hillary.li@justiceactioncenter.org
LAURA FLORES-PERILLA, Cal. No. 355645*
laura.flores-perilla@justiceactioncenter.org
EMILY SATIFKA, Nj. No. 330452020*
emily.satifka@justiceactioncenter.org
JUSTICE ACTION CENTER
PO Box 27280
Los Angeles, CA 90027 Tel-
ephone:+1 323-450-727

Attorneys for Plaintiffs

DANIEL MCNEIL, D.C. No. 455712**
dmcneil@aft.org
CHANNING COOPER, Md. No. 1212110182*
ccooper@aft.org
AMERICAN FEDERATION OF TEACH-
ERS
555 New Jersey Avenue, N.W.
Washington, D.C. 20001
Telephone: +1 202-879-4400

Attorneys for Plaintiff American Federation of Teachers

LUBNA A. ALAM, DC No. 982169*
lalam@nea.org
KATHERINE E. LAMM, DC No. 1006319*
klamm@nea.org
NATIONAL EDUCATION ASSOCIATION
1201 16th Street NW
Washington, DC 20036
(202) 822-7035

Attorneys for Plaintiff National Education Association