

1 Laura Juran (Cal. Bar No. 199978)  
2 Brian Schmidt (Cal. Bar No. 265937)  
3 California Teachers Association  
4 1705 Murchison Drive  
5 Burlingame, CA 94010  
6 LJuran@cta.org  
7 BSchmidt@cta.org  
8 (650) 697-1400  
9 Attorneys for Plaintiff California Teachers Association

7 Eric Harrington (Cal. Bar No. 257178)  
8 National Education Association  
9 1201 16th Street NW  
10 Washington, D.C. 20036  
11 eharrington@nea.org  
12 (202) 822-7035  
13 Attorney for Plaintiff National Education Association

12 Daniel A. Zibel (*pro hac vice pending*)  
13 Martha U. Fulford (*pro hac vice pending*)  
14 National Student Legal Defense Network  
15 1015 15th Street N.W., Suite 600  
16 Washington, D.C. 20005  
17 dan@nsldn.org  
18 martha@nsldn.org  
19 (202) 734-7495  
20 Attorneys for Plaintiffs National Education  
21 Association, California Teachers Association,  
22 Shane Heiman, Kwynn Uyehara, and Stephanie Portilla

19 **UNITED STATES DISTRICT COURT**  
20 **NORTHERN DISTRICT OF CALIFORNIA**

22 NATIONAL EDUCATION ASSOCIATION,  
23 CALIFORNIA TEACHERS ASSOCIATION,  
24  
25 SHANE HEIMAN,  
26  
27 KWYNN UYEHARA  
28 STEPHANIE PORTILLA

Case No.: 18-5173-LB  
DECLARATION OF STEHANIE PORTILLA

1 Plaintiffs,

2 vs.

3 BETSY DEVOS, *in her official capacity as*  
4 *Secretary of Education,*

5 UNITED STATES DEPARTMENT OF  
6 EDUCATION,

7 Defendants.

I, STEPHANIE PORTILLA, declare and state as follows:

- 8 1. My name is Stephanie Portilla. I am a plaintiff in the above captioned case.
- 9 2. I am a dues-paying aspiring educator member of the California Teachers Association  
10 (“CTA”) and the National Education Association (“NEA”). I have been a member of the  
11 CTA and NEA since early 2018.
- 12 3. I currently live in Monterey County, California and am enrolled full-time in an online  
13 program at Western Governors University (“WGU”) in order to obtain my bachelor’s  
14 degree in elementary education. I am currently enrolled in my first semester of  
15 coursework.  
16
- 17 4. In order to pay for my program at WGU, I am using a federal grant and funding from the  
18 California Department of Rehabilitation.
- 19 5. When I first enrolled in the online program, I researched and confirmed through the state  
20 of California teacher certification website whether my program would meet the  
21 California state standards for teacher certification. If my program ceased to meet the  
22 standards, I do not know whether WGU would notify me. If WGU did provide me with  
23 an individualized disclosure that informed me that it had made a determination that my  
24 program no longer meets California’s certification requirements, I would review this  
25 disclosure and the information, and, depending on the information, the disclosure could  
26  
27  
28

1 affect my decision whether to continue my program at WGU, including whether to use  
2 my grant funding, whether to stop attending the program, or consider transferring  
3 elsewhere.

4 6. I am not currently aware whether my school has faced adverse actions related to online  
5 courses from a state or accrediting agency for engaging in misconduct. I was made  
6 aware, through the media, that WGU being audited by the Department of Education's  
7 Office of the Inspector General, and that the audit exposed certain problems with respect  
8 to WGU. I am not aware whether that audit is based on, or makes findings of,  
9 misconduct by WGU that could threaten the school's ability to provide a program that is  
10 accepted by the State of California to certify teachers. Nor am I aware whether the  
11 Inspector General's audit report constituted a final determination by the Department of  
12 Education regarding WGU's status with the Department of Education. If WGU publicly  
13 disclosed the existence of any adverse actions against it by a state or accrediting agency  
14 for engaging in misconduct relating to WGU's online programs, I would carefully review  
15 such a disclosure. Depending on the information provided, my review of such a  
16 disclosure would affect my decision to continue my degree at WGU, including whether to  
17 use my grant funding, whether to stop attending the program, or consider transferring  
18 elsewhere.

19 7. If WGU provided me with an individualized disclosure that informed me that it has faced  
20 adverse actions related to online courses from a state or accrediting agency within 30  
21 days of the school becoming aware of the action, I would review and carefully consider  
22 the information disclosed. Such a disclosure would affect my decision whether to  
23  
24  
25  
26  
27  
28

1 continue my degree at WGU, including whether to use my grant funding, whether to stop  
2 attending the program, or consider transferring elsewhere.

3 8. I am over the age of eighteen, have personal knowledge of all facts stated herein, and if  
4 called to testify, I could and would testify competently thereto.  
5

6  
7 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United  
8 States of America that the foregoing is true and correct and that this declaration was executed  
9 on August 30, 2018

10 Signature: Stephanie Portilla

11 Stephanie Portilla  
12 786 McDonald Way  
13 Greenfield, CA 93927  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28