

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

COUNCIL FOR OPPORTUNITY IN
EDUCATION

Plaintiff,

v.

U.S. DEPARTMENT OF EDUCATION, *et*
al.

Defendants.

Civil Action No. 25-cv-03491 (TSC)
Civil Action No. 25-cv-03514 (TSC)
(Consolidated Cases)

ORDER

For the reasons set forth in the accompanying Memorandum Opinion, Plaintiff's Motions for Preliminary Injunctions, Case No. 25-cv-03491, ECF No. 2; Case No. 25-cv-03514, ECF No. 2, are **GRANTED**, as modified below:

A. Case No. 25-cv-03514

It is hereby **ORDERED** that Defendants' Notices of Non-Continuation sent to Plaintiff and the members it identified in Case No. 25-cv-03514 are **VACATED**.

Defendants, and others in active concert or participation therewith, are **ENJOINED** from implementing or enforcing through any means the Notices of Non-Continuation sent to Plaintiff and its identified members.

It is **FURTHER ORDERED** that Defendants must take all necessary actions and steps to reconsider the Notices of Non-Continuation as to Plaintiff and its identified members and issue new determinations regarding continuation, in accordance with the court's accompanying Memorandum Opinion as well as all applicable laws, regulations, and procedures.

Defendants are **ENJOINED** from reissuing Notices of Non-Continuation to Plaintiff or any of its identified members without satisfying the requisite procedures, including, where applicable, the requirements under Title VI, Title IX, and any other applicable federal laws and regulations.

B. Case No. 25-cv-03491

ORDERED that Defendants' Notices of Non-Selection sent to Plaintiff's identified members in Case No. 25-cv-03491 are **VACATED**.

Defendants, and others in active concert or participation therewith, are **ENJOINED** from implementing or enforcing through any means the Notices of Non-Selection sent to Plaintiff's identified members.

It is **FURTHER ORDERED** that Defendants must take all necessary actions and steps to reconsider the identified members' previously denied FY 2025 SSS grant applications and issue new funding determinations, in accordance with the accompanying Memorandum Opinion as well as all applicable laws, regulations, and procedures.

Defendants are **ENJOINED** from issuing new Notices of Non-Selection to Plaintiff's identified members without satisfying the requisite procedures, including, where applicable, the requirements under Title VI and any other applicable federal laws and regulations.

It is **FURTHER ORDERED** that Defendants' request for a stay of any preliminary injunction order in Case No. 25-cv-03491, ECF No. 15 at 36, is **DENIED** without prejudice.¹

¹ Defendants have not filed a motion for a stay, but asked the court to stay any preliminary injunction order in Case No. 25-cv-03491 in their Combined Motion to Dismiss and Opposition to Plaintiff's Motion for a Preliminary Injunction. *See* Case No. 25-cv-03491, ECF No. 15 at 36. If, after reviewing the court's Order and forthcoming Memorandum Opinion, Defendants believe that a stay pending appeal is warranted, they may file a motion consistent with Federal Rule of Appellate Procedure 8.

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It is **FURTHER ORDERED** that the bond requirement of Federal Rule of Civil Procedure 65(c) is waived, and that this preliminary injunction is effective upon service; it is further

ORDERED that Defendants shall file a status report with the court, within **14 days** of entry of this Order, advising the court of the steps it has taken to comply with the preliminary injunction; it is further

ORDERED that, to the extent that Plaintiff seeks to expand the scope of this preliminary injunction to include additional unnamed members who have been harmed by Defendants' actions at issue in this litigation, Plaintiff may file a motion to modify the scope of the court's preliminary injunction with attached documentation of such harms **by February 1, 2026**;² it is further

ORDERED that this preliminary injunction remains in effect pending further orders from this Court.

Date: January 16, 2026

Tanya S. Chutkan
TANYA S. CHUTKAN
United States District Judge

² The court will permit Plaintiff to identify any such additional members by their Unique Entity Identifier numbers. *See, e.g., Am. Ass'n of Univ. Professors v. Trump*, No. 25-cv-07864, 2025 WL 3187762, at *38 n.26 (N.D. Cal. Nov. 14, 2025). If Defendants take issue with this method of identification, the parties are directed to confer and propose a method in Defendants' status report by which Plaintiff may provide sufficient notice to Defendants of which member programs Plaintiff seeks to include in the court's Order.