

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KHADIDJA ISSA, Q.M.H., a minor,	:	
individually, by and through his parent, Faisa	:	
Ahmed Abdalla, ALEMBE DUNIA,	:	
ANYEMU DUNIA, V.N.L., a minor,	:	
individually, by and through her parent, Mar Ki,	:	
SUI HNEM SUNG, AND ALL OTHERS	:	
SIMILARLY SITUATED,	:	
	:	
	:	
Plaintiffs,	:	CIVIL ACTION NO. 16-3881
	:	
v.	:	
	:	
THE SCHOOL DISTRICT OF LANCASTER,	:	
	:	
Defendant.	:	

ORDER

AND NOW, this 26th day of August, 2016, after considering the plaintiffs’ motion for a preliminary injunction (Doc. No. 7), the defendant’s response thereto and supporting memorandum of law (Doc. Nos. 15, 16), and the plaintiff’s reply in support of the motion (Doc. No. 20); and after holding a five-day evidentiary hearing; and after considering the parties’ proposed findings of fact and conclusions of law (Doc. Nos. 32-34); and for the reasons stated in the accompanying memorandum opinion; accordingly, it is hereby **ORDERED** that the plaintiffs’ motion for preliminary injunction (Doc. No. 7) is **GRANTED IN PART** and, pending final resolution of this matter, the school district shall:

1. Enroll and permit the school-age plaintiffs, who so wish, to attend the main high school, McCaskey, beginning on **August 29, 2016**;¹

¹ To the extent that at Phoenix there are approximately 12 other school-age refugees similarly situated to the plaintiffs with regard to language proficiency, the reasoning of the court’s memorandum opinion would likely apply to them as well. As a preliminary matter, and prior to the court’s determination on the motion for class certification, the parties are encouraged to fairly apply that reasoning to those individuals.

2. Ensure that all plaintiffs are properly assessed for language proficiency and receive an appropriate and adequate program of language instruction, including assignment to the International School if appropriate, ESL instruction, modifications in the delivery of instruction and testing to facilitate their achievement of English proficiency and state academic standards, and interpretation and translation services, as required by law, to enable the plaintiffs and their parents to meaningfully participate in education decisions;

3. Ensure that the plaintiffs have equal access to the full range of educational opportunities provided to their peers, including curricular and non-curricular programs and activities; and

4. The plaintiffs shall post a nominal bond of \$1.00.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.