

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

COUNCIL FOR OPPORTUNITY
IN EDUCATION,

Plaintiff,

v.

DEPARTMENT OF EDUCATION, et al.,

Defendants.

Civil Action No. 25-3491 (TSC)
Civil Action No. 25-3514 (TSC)

DEFENDANTS' STATUS REPORT

Pursuant to the Court's January 16, 2026, Order, Defendants, by and through undersigned counsel, respectfully submit this Status Report. Defendants respectfully submit the following information and timetable of steps Defendants have taken and will take to meet such obligations¹:

On January 16, 2026, the Court entered a preliminary injunction and ordered, *inter alia*, 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." Civ. A. No. 25-3491, Order, ECF No. 29.

Notices of Non-Continuation

1. On January 23, 2026, a notice was sent to the responsible persons for all named members affected by the Court's Order notifying them of this preliminary injunction, and of the U.S. Department of Education's ("Department") obligation to take all necessary actions and steps to reconsider the Notices of Non-Continuation. A true and correct copy of this notification (without

¹ The Department notes that this anticipated timeline may be impacted if Plaintiff seeks to expand the scope of this preliminary injunction to include additional unnamed members.

the attached preliminary injunction order and memorandum opinion) is attached hereto as Attachment A.

2. On January 30, 2026, the Department contacted each identified member affected by the Court's order to request information necessary for the Department to make new continuation determinations consistent with the Court's order, as well as to ensure appropriate continued oversight and stewardship of such federal funds. The Department requested that each named member submit this necessary information by no later than 5 p.m. E.T. February 10, 2026. A true and correct copy of this notification is attached hereto as Attachment B.

3. The Department intends to issue new continuation decisions to each of the identified members affected by the Court's January 16, 2026, Order on or before March 6, 2026.

Notices of Non-Selection

4. On January 23, 2026, a notice was sent to the responsible persons for all identified members affected by the Court's Order notifying them of this preliminary injunction, and of the Department's obligation to take all necessary actions and steps to reconsider the identified members' previously denied FY 2025 SSS grant applications and issue new funding determinations. A true and correct copy of this notification (without the attached preliminary injunction order and memorandum opinion) is attached hereto as Attachment C.

5. The Department intends to contact previously non-selected applicants regarding any updated assurances or information necessary to inform its selection decision on or before February 6, 2026.

6. The Department intends to issue new selection decisions to each of the named members affected by the Court's January 16, 2026, Order on or before March 6, 2026.

* * *

7. In light of the above information, the Department proposes filing a subsequent status report by March 9, 2026.

Dated: January 30, 2026

Respectfully submitted,

JEANINE FERRIS PIRRO
United States Attorney

By: /s/ Stephanie R. Johnson
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