

ENTERED

November 04, 2021

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

A.C., C.P., T.T., T.M., T.B., R.P.,
and C.W., by and through their
next friends and guardians,

Plaintiffs,

CIVIL ACTION NO. H-21-3466

VS.

MAGNOLIA INDEPENDENT
SCHOOL DISTRICT,

Defendant.

ORDER GRANTING PRELIMINARY INJUNCTION

The parties agreed to a stipulation that makes a preliminary injunction hearing unnecessary. The preliminary injunction hearing scheduled for Wednesday, November 10, 2021, is cancelled. The court grants the plaintiffs’ motion for a preliminary injunction, (Docket Entry No. 6), based on the following stipulations:

1. On October 25, 2021, this court held a hearing on the plaintiffs’ motion for a temporary restraining order. Following the hearing, the court granted the plaintiffs’ motion and entered an order temporarily restraining the Magnolia Independent School District from enforcing the gender-specific hair-length provisions of its dress and grooming policy as to the plaintiffs A.C., C.P., T.T., and T.M. [Tr. 44:11-15]. The court stated that it would consider extending the restraining order to the remaining plaintiffs, T.B., R.P., and C.W., if the District threatened them with adverse disciplinary consequences for wearing long hair. [Tr. 49:23-25 – 50:1-2]. The court set a preliminary injunction hearing for November 10, 2021.

2. The Magnolia Independent School District has agreed to suspend enforcement of the gender-specific provisions of its dress and grooming code as to all students in the District. The Magnolia Independent School District stipulates to stop enforcing the gender-specific provisions of the District's dress and grooming code throughout the District during the pendency of this litigation. The District's stipulation includes the provisions requiring that hair "[b]e no longer than the bottom of a dress shirt collar, bottom of the ear, and out of the eyes for male students"; "[n]ot be pinned up in any fashion nor be worn in a ponytail or bun for male students"; and that "[e]arrings may be worn only by girls[; those] worn by boys will be confiscated and may not be returned to the student." The District and its officers, agents, employees, and attorneys, including at all schools within the District, agree to be enjoined from enforcing these gender-specific provisions of the dress and grooming code until further notice.

3. Nonenforcement under this stipulation requires the District to immediately cease disciplinary consequences resulting from violation of gender-specific provisions of its dress and grooming code as to any student, including but not limited to in-school suspension or placement in the discipline alternative education program. The plaintiffs and other students against whom the policy has been enforced must be permitted to return to, and remain in, school with no further discipline, or other negative consequences, for wearing long hair or for violating any other gender-specific provision of the dress and grooming policy. The District may not impose further discipline or other negative consequences on the plaintiffs, or other students against whom the gender-based provisions of the dress and grooming code have been enforced, from previous disciplinary measures or placements for these violations. This includes that the District may not deny the plaintiffs, or other students, privileges or participation in clubs or activities due to the District's prior enforcement of the hair-length policy.

4. The District must promptly notify all campus administrators of the immediate suspension of the enforcement of the gender-specific dress and grooming code provisions. The District must promptly notify campus administrators at all schools that students may not be denied access to privileges or participation in clubs or activities due to the District's prior enforcement of the hair-length policy.

5. This stipulation and order will take effect on the date of entry and will remain in full force and effect until further action by the court.

6. No bond is required.

SIGNED on November 4, 2021, at Houston, Texas.



Lee H. Rosenthal
Chief United States District Judge