

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA**

CHRISTIANS IN ACTION CLUB, et al. : No. 1:19-cv-00172-JEJ
: :
Plaintiffs : :
: :
v. : :
: :
MECHANICSBURG AREA SCHOOL : :
DISTRICT, et al. : :
: :
Defendants : :

STIPULATED ORDER

AND NOW, this 21~~st~~ day of February, 2019, upon consideration of the Stipulation of the Parties, it is hereby ORDERED, ADJUDGED AND DECREED that a Preliminary Injunction and a Partial Order to Dismiss be issued as follows:

1. Defendants are enjoined from enforcing Administrative Regulation 220-0 and the Student Handbook to prohibit the distribution of literature until a new Administrative Regulation and/or an application for the distribution of materials is promulgated to replace old Administrative Regulation 220-0 and provided to the school community;
2. Defendants are enjoined from enforcing Policy 220 in such a way as to prohibit Plaintiffs from distributing literature in the cafeteria during lunch time;
3. The parties shall work collaboratively to draft and the Defendants shall

implement an application for the distribution of materials in the interim, which shall be a temporary substitute for the enjoined Administrative Regulation 220-0;

4. The parties will work collaboratively to draft new Administrative Regulation that shall take the place of the enjoined Administrative Regulation 220-0;

5. The new Administrative Regulation shall be drafted within 45 days of the entry of the Stipulated Order;

6. The new Administrative Regulation shall be promulgated and provided to the school community within 45 days of the entry of the Stipulated Order;


7. Defendants are enjoined from enforcing the High School, Middle School, and Elementary Student Handbooks' prohibition of speech that "seek[s] to establish the supremacy of a particular religious denomination, sect or point of view";

8. Because of the Stipulated Preliminary Injunctive relief, no further action need be taken on Plaintiffs' Motion for Preliminary Injunction, and the March 11, 2019, hearing shall be cancelled. The deadlines for responsive pleadings are stayed until sixty days after entry of the Stipulated Order in order to give the parties opportunity to consider entry of a final order to dispense with all remaining issues in this case;

9. Any motion for attorneys' fees and costs must be filed within 30 days after entry of a final order in this matter;

10. The claims against Mark Leidy, superintendent of Mechanicsburg Area School District, and David Harris, principal of Mechanicsburg Area High School, shall be dismissed as duplicative of the claims against Mechanicsburg Area School District.

BY THE COURT:



John E. Jones, III, Judge
United States District Court
Middle District of Pennsylvania