

**AUSTRALIAN COUNCIL FOR THE DEFENCE OF
GOVERNMENT SCHOOLS**

Press Release 1043

**US Supreme Court blocks public funding for
religious charter school**

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BBC News, Washington DC

[The state of Oklahoma may not direct public state funding to what was set to be the nation's first religious charter school after the US Supreme Court deadlocked over the case.](#)

The justices were evenly split, voting 4-4 in a ruling on Thursday. The tie affirms a lower ruling from the Oklahoma State Supreme Court, which found the effort to establish the school violates the US Constitution.

An Oklahoma school board had approved the founding of a charter school run by the Catholic Archdiocese of Oklahoma City and the Diocese of Tulsa that would have received roughly \$23.3m (£18.7m) in state funding over five years.

A charter school is funded by taxpayers but independently managed.

The US Supreme Court's ruling is not considered a country-wide precedent and the justices could accept future cases related to the issue.

The court does not reveal how the justices voted, though they appeared split along ideological lines during an April hearing.

Justice Amy Coney Barrett, who was appointed by US President Donald Trump as one of the court's conservative justices, recused herself from the case. She did not provide a reason.

The announcement also did not come with a formal opinion - only a single page that read: "The judgment is affirmed by an equally divided Court."

Court watchers viewed the case as a test of the US Constitution's religious boundaries.

The 1st Amendment prohibits the government from taking any action to establish a dominant religion. Taxpayer funds, such as those earmarked for public schools, have long been considered off limits to religious institutions.

The two sides of the case presented dueling views of religious freedom.

Oklahoma Attorney General Gentner Drummond, a Republican, had sued the board to force it to rescind the school's charter. He welcomed the court's decision in a statement on Thursday.

He had long criticised the school as illegal and said it opened the state to having to fund other kinds of religious schools.

"The Supreme Court's decision represents a resounding victory for religious liberty and for the foundational principles that have guided our nation since its founding," he said.

"This ruling ensures that Oklahoma taxpayers will not be forced to fund radical Islamic schools, while protecting the religious rights of families to choose any school they wish for their children."

The school, however, had argued that denying it charter funding as a Christian institution amounted to discrimination on basis of religion. In a statement, officials said they were disappointed in the ruling.

"We stand committed to parental choice in education, providing equal opportunity to all who seek options when deciding what is best for their children," the statement read.

"In light of this ruling, we are exploring other options for offering a virtual Catholic education to all persons in the state," it added.

St Isidore of Seville Virtual Catholic Charter School aimed to provide online instruction that incorporated religious teachings for about 500 students from kindergarten through high school.

The Oklahoma State Virtual Charter School Board's 2023 decision to approve the school's application for charter status was met with almost immediate controversy.

Oklahoma Governor Kevin Stitt, a Republican, welcomed the approval, but Mr Drummond, the attorney general, condemned it and ultimately filed a lawsuit.

Charter schools make up a small fraction of the US school system. They have gained prominence in recent years as rallying point for some conservatives, who advocate for expanding charter schools as a means of giving parents more control over their children's education.

Trump's pick for education secretary, Linda McMahon, has sought to reduce federal support for public schools and expand support for charter and private ones.

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