# Supreme Court deadlock blocks first publicly funded religious charter school



The recent deadlock in the U.S. Supreme Court concerning the proposed St. Isidore of Seville Catholic Virtual School in Oklahoma has mirrored significant national debates surrounding the integration of religious institutions into public education. Following Justice Amy Coney Barrett's recusal, the Court divided into a 4-4 tie, blocking the establishment of what would have been the first publicly funded religious charter school in the country. This decision has left intact a lower court's ruling, which found that the school's establishment would infringe upon the First Amendment's establishment clause, designed to prevent government endorsement of religion.

The case is emblematic of the broader tensions surrounding religious influence in schooling, particularly amid a conservative political climate that has seen a resurgence of calls for the funding of religious education. Advocates for the school, including many within Oklahoma, argued that the institution would provide essential educational choices, particularly for families seeking a Catholic education for their children in a virtual format. Yet, opponents, including the American Civil Liberties Union (ACLU), contended that such a move would undermine the foundational principle of secular public education.

The journey toward establishing St. Isidore of Seville began with a narrow approval from the Oklahoma Statewide Charter School Board in 2023. However, this initiative quickly faced legal challenges, culminating in the state attorney general contesting the board’s decision based on constitutional grounds. The Oklahoma Supreme Court’s ruling against the charter school hinged on interpretations of both state and federal constitutions, reinforcing that the proposed school would cross boundaries established to maintain the separation of church and state. This ruling was thus upheld by the recent Supreme Court tie.

While the Supreme Court's conservative majority appeared inclined to lean in favour of religious charter institutions during earlier hearings, Chief Justice John Roberts’s hesitations became a pivotal moment in this case. His questioning suggested an awareness of the potential implications that endorsing a religious charter might hold, not just for the individual case but for the landscape of education across the United States. The lack of a definitive ruling also means that the issue remains unresolved on a national level, leaving proponents of religious charter schools to consider future avenues for their establishment.

The case of St. Isidore of Seville sheds light on an ongoing national discourse regarding educational equity and the rightful boundaries of religious influence in public life. Proponents of educational choice continue to push for avenues that would permit more religiously affiliated charter schools. Yet, civil liberties groups celebrate this judicial stalemate as a protective measure for public schools' secular integrity.

This deadlock signals not just a legal setback for advocates of religious charter schools but also underscores the complexities of navigating constitutional interpretations in a diverse society. Observers are closely watching how these discussions evolve, particularly as various states pursue legislation that may further blur these vital lines between church and state in educational contexts.

### Reference Map

1. [[1]](https://www.cbsnews.com/video/supreme-court-deadlocked-in-religious-charter-school-case-after-barrett-recusal/)
2. [[2]](https://www.reuters.com/world/us/split-us-supreme-court-blocks-religious-charter-school-2025-05-22/)
3. [[3]](https://www.axios.com/2025/05/22/supreme-court-oklahoma-religious-schoolt-tie)
4. [[4]](https://apnews.com/article/170e3701926e29ea5072eb50f0db97b6)
5. [[5]](https://www.edweek.org/policy-politics/supreme-court-case-could-reshape-landscape-for-charter-and-religious-schools/2025/04)
6. [[6]](https://www.newsweek.com/john-roberts-could-swing-supreme-court-battle-over-religious-charter-school-2066326)
7. [[7]](https://www.scotusblog.com/2025/04/supreme-court-divided-over-approving-first-religious-charter-school/)

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## Bibliography

1. <https://www.cbsnews.com/video/supreme-court-deadlocked-in-religious-charter-school-case-after-barrett-recusal/> - Please view link - unable to able to access data
2. <https://www.reuters.com/world/us/split-us-supreme-court-blocks-religious-charter-school-2025-05-22/> - On May 22, 2025, the U.S. Supreme Court issued a 4-4 tie vote, effectively blocking the establishment of St. Isidore of Seville Catholic Virtual School in Oklahoma. The tie left intact a lower Oklahoma court's ruling that the school violated the First Amendment's establishment clause, which prohibits government endorsement of religion. Justice Amy Coney Barrett recused herself from the case, leading to the deadlock. The decision was celebrated by advocates for the separation of church and state, while proponents of religious charter schools expressed disappointment and indicated ongoing legal efforts.
3. <https://www.axios.com/2025/05/22/supreme-court-oklahoma-religious-schoolt-tie> - The U.S. Supreme Court deadlocked in a 4-4 vote, effectively blocking Oklahoma’s attempt to establish the country's first publicly funded religious school, St. Isidore of Seville Virtual Charter School. The tie leaves in place the Oklahoma Supreme Court's ruling, which determined that founding such a school would violate both state and U.S. constitutional provisions regarding the separation of church and state. The Statewide Virtual Charter School Board had narrowly approved the school in 2023. While the Supreme Court's conservative majority seemed inclined to support the school during April hearings, Chief Justice John Roberts expressed doubts, leading to the eventual stalemate. As a result, Oklahoma’s plan cannot proceed.
4. <https://apnews.com/article/170e3701926e29ea5072eb50f0db97b6> - The U.S. Supreme Court issued a 4-4 tie vote on the case regarding Oklahoma’s proposed St. Isidore of Seville Catholic Virtual School, effectively nullifying the decision to establish the nation’s first publicly funded religious charter school. The tie leaves intact a lower Oklahoma court’s ruling that invalidated the state charter school board’s approval of the Catholic school, but it sets no national precedent and leaves the issue unresolved. Justice Amy Coney Barrett abstained from the case due to personal connections, and Chief Justice John Roberts appeared to side with liberal justices. Proponents argued the school offered educational choice, while opponents—including the ACLU—warned it violated the separation of church and state. The school was intended to serve K-12 students online and evangelize Catholic teachings. The debate reflects broader national tensions about religious influence in public education, spotlighted by related policies in other conservative-led states. While supporters plan to revisit the issue in the future, opponents celebrated the decision as a defense of public education's secular nature.
5. <https://www.edweek.org/policy-politics/supreme-court-case-could-reshape-landscape-for-charter-and-religious-schools/2025/04> - The Supreme Court case concerning the establishment of St. Isidore of Seville Catholic Virtual School in Oklahoma could significantly impact the landscape for charter and religious schools. The case, argued on April 30, 2025, involves the Oklahoma Statewide Charter School Board's approval of the Catholic virtual charter school, which was challenged by the state's attorney general. The outcome of the case could set a precedent for the inclusion of religious schools in charter school programs and influence the interpretation of the First Amendment's establishment clause.
6. <https://www.newsweek.com/john-roberts-could-swing-supreme-court-battle-over-religious-charter-school-2066326> - Chief Justice John Roberts may hold the deciding vote in the Supreme Court case concerning the establishment of the nation's first publicly funded religious charter school, St. Isidore of Seville Catholic Virtual School in Oklahoma. The case has divided the Court, with conservative justices appearing to support the school and liberal justices expressing concerns about the separation of church and state. Justice Amy Coney Barrett recused herself from the case, and Roberts' stance remains uncertain, potentially determining the outcome of the case.
7. <https://www.scotusblog.com/2025/04/supreme-court-divided-over-approving-first-religious-charter-school/> - The Supreme Court was divided over a Catholic virtual charter school’s bid to become the country’s first religious charter school. With Justice Amy Coney Barrett recused from the case, the outcome appeared to hinge on the vote of Chief Justice John Roberts, who asked probing questions of both sides but did not make his position clear. The case began when Oklahoma’s charter school board approved an application by the archdiocese of Oklahoma City and the diocese of Tulsa to establish St. Isidore of Seville, a virtual Catholic charter school.