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Attorney General Brown Joins Coalition Urging U.S. Supreme Court to Reject Creation of Taxpayer-Funded Religious Charter School

BALTIMORE, MD (April 7, 2025) – Attorney General Anthony G. Brown today joined a coalition of 18 attorneys general in filing a [brief](#) urging the U.S. Supreme Court to reject the creation of the nation’s first publicly funded religious charter school. The case, *Oklahoma Statewide Charter School Board v. Drummond*, asks the court to uphold a ruling by the Oklahoma Supreme Court, which found the school’s approval unconstitutional.

The case centers on St. Isidore of Seville Catholic Virtual School, which the Oklahoma Statewide Charter School Board approved in 2023 to operate as a public charter school with a religious mission. In 2024, the Oklahoma Supreme Court struck down that decision, finding it violated both the state and federal constitutions. The board and school supporters appealed to the U.S. Supreme Court, which will hear the case later this month.

“The Constitution is clear: taxpayer money should never be used to teach religion in our public schools,” **said Attorney General Brown.** “Our Office will defend public schools and their funding to ensure they remain open to all students and free from religious instruction.”

The brief explains that charter schools, like all public schools, must remain secular under the First Amendment. They are not private contractors or religious institutions, but part of the public education system, created to give parents and educators a greater role in shaping schools while still following constitutional rules. That includes being open to all students, charging no tuition, and staying free of religious instruction.

Every state with charter schools requires them to remain non-religious, and the brief explains that allowing religious charter schools would override those laws and force states into an impossible position. States could be required to provide religious instruction in what are public schools or shut down charter school programs entirely to avoid violating the Constitution. The attorneys general argue that the choice of how to structure and govern public schools should remain with the states, not the federal courts.

The brief also warns that changing the legal status of charter schools could destabilize how they are funded and operated. Many states and key stakeholders rely on charter schools being public

institutions, and a ruling that reclassifies them as private could disrupt billions of dollars in public education investment.

Joining Attorney General Brown in filing the brief are attorneys general from Arizona, California, Colorado, Connecticut, Delaware, the District of Columbia, Illinois, Maine, Massachusetts, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon, Rhode Island, and Washington.

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