

For Immediate Release

Milli Bravo

May 22nd, 2025

MilliB@DECharterNetwork.org

U.S. Supreme Court Ruling Upholds Public Charter Schools, Safeguards Delaware Law

Ruling Blocks Religious Charter School, Preserves Constitutional Separation of Church and State – What does this mean for Delaware?

Wilmington, DE — Today, the U.S. Supreme Court affirmed the decision, by an equally divided court (4:4), of the lower court in the case of *St. Isidore of Seville Catholic Virtual School v. Drummond*, thereby allowing the Oklahoma Supreme Court’s ruling to stand: religious charter schools are unconstitutional. This decision is a clear affirmation that charter schools are public schools and must comply with constitutional safeguards, including the separation of church and state.

The central issue in *St. Isidore* was whether states must authorize and fund religious charter schools. The Oklahoma court ruled that charter schools are public and must remain “nonsectarian.” Opponents of that ruling sought to overturn it in hopes of changing how charter schools are defined nationwide.

“This decision protects everything we’ve fought to build here in Delaware,” said Senate President Pro Tempore David Sokola, co-author of Delaware’s charter school law. “Charter schools are public. They are accountable. And they offer families high-quality options within the public education system — not outside of it.”

The Delaware Charter Schools Network joined 22 other charter support organizations in alignment with the National Alliance for Public Charter Schools in filing Amicus curiae briefs urging the Court to uphold Oklahoma’s ruling. The briefs reinforced that charter schools are public by law in every state, operate within public accountability systems, and receive public funding.

During oral arguments, the justices wrestled with competing constitutional interests: religious freedom, public funding, nondiscrimination protections, and the legal boundaries between government and religion.

What This Means Nationwide

This ruling safeguards the public charter school model across the country—for now. Had the Court ruled in favor of *St. Isidore*, states like Delaware could have been forced to:

- Severely restrict or eliminate their charter school laws
- Withdraw public funding from all charter schools
- Redefine charter schools in ways that would severely limit access, equity, and innovation

What This Means for Delaware

Delaware's Constitution explicitly prohibits public funding for religious institutions. A ruling that allowed religious charter schools would have directly violated this protection — and undermined the very foundation of Delaware's charter law, which ensures public, nonsectarian, accountable school options for families.

"This would've been a disaster for families who rely on choice and opportunity in public education — especially in historically underserved communities," said Kendall Massett, Executive Director of the Delaware Charter Schools Network. "We've seen the impact: stronger academic growth, higher graduation rates, and targeted student support. That's what we're protecting today."

Why This Matters Now

Charter schools in Delaware are held to high standards. If they don't deliver results, they're closed. But when they succeed — as many of our schools do — they change lives.

The Supreme Court's decision preserves the integrity and accountability of public charter schools. But the fight isn't over.

"We must keep showing up," said Massett. "Because every day, there are efforts — even from inside our own governments — to chip away at the innovation, equity, and choice that charter schools bring to public education."

The National Alliance echoed that sentiment: *"We know this may not be the last time this question comes before the Court. But today we can move forward with renewed focus on expanding access to high-quality public charter schools for every family in every community."*

Call to Action

The Delaware Charter Schools Network urges all Delawareans to:

- Support public education that honors constitutional protections
- Stand up for school choice and the innovation that charter schools bring
- Defend the progress of 30 years of Delaware's charter law

About Public Charter Schools

Public charter schools are independent, public, and tuition-free schools that are given the freedom to be more innovative while being held accountable for advancing student achievement. Separate studies by the Center on Reinventing Public Education and Mathematica Policy Research have found that charter school students are more likely to graduate from high school, go on to college, stay in college and have higher earnings in early adulthood.

About the Delaware Charter Schools Network

The Delaware Charter Schools Network is a non-profit organization created in 2001 to support the charter school movement and charter schools in Delaware. The Network educates the public about charter schools, provides assistance to existing Delaware charter schools and those yet to open, and serves as a unified voice for the state's charter schools at the state and national level.

Celebrating 30 Years of Charter Schools in Delaware

This year marks the 30th anniversary of Delaware's charter school law. To celebrate, DCSN will host 30 events across the state — both big and small — highlighting the lasting impact of charters on Delaware's students, families, and communities. The year-long celebration will culminate in a Charter Gala in 2026. For more information, please visit www.decharternetwork.org