News



Students gather for a class at St. Dominic Academy in the Diocese of Portland, Maine, in this undated photo. A federal judge ruled Aug. 8, 2024, that Catholic schools can be excluded from Maine's tuition grant program. On June 13, 2023, St. Dominic School and the Keith and Valori Radonis family filed a federal lawsuit suit challenging the exclusion of faith-based schools from a state tuition assistance program. (OSV News/courtesy Diocese of Portland, Maine)

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Portland, Maine — August 13, 2024
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Catholic schools are still excluded from Maine's tuition grant program, a federal judge ruled Aug. 8, but he added that he expected the U.S. Court of Appeals for the 1st Circuit to eventually provide "a more authoritative ruling."

In his 75-page order, U.S. District Judge John A. Woodcock Jr. said the case "poses novel constitutional issues and … the Court has attempted to frame its opinion as a prelude" to the appeals court ruling.

In June 2023, a Catholic family of five and a Catholic high school in the Diocese of Portland, Maine, filed a federal lawsuit against the head of the state's Department of Education and members of its Human Rights Commission challenging the state's exclusion of faith-based schools from a state tuition assistance program.

Despite a June 2022 ruling by the U.S. Supreme Court in Carson v. Makin declaring that the state's tuition aid program is unconstitutional because it excludes religious schools, Maine officials continue to keep faith-based schools and families from receiving state tuition assistance, according to the lawsuit.

The Aug. 8 District Court ruling says, "Although the Court agrees that the plaintiffs have raised significant constitutional issues, the Court denies the motion, primarily because it concludes that the plaintiffs are unlikely to succeed on the merits."

Becket, a religious liberty law firm based in Washington, filed the suit on behalf of the Keith and Valori Radonis family, who live in rural Maine, and St. Dominic Academy, which is run by the Diocese of Portland.

The complaint alleged "that certain provisions of the Maine Human Rights Act effectively exclude St. Dominic from participating in Maine's school tuition program in violation of the plaintiffs' rights under the Free Exercise, Free Speech, and Equal Protection clauses of the U.S. Constitution."

"As Catholic parents, we want to provide our children with an education that helps them grow in heart, mind, and spirit, preparing them for lives of service to God and neighbor," Keith and Valori Radonis said in a statement released by Becket. "All families should have the option to provide the education that's right for their children using Maine's tuition program, including religious families like ours."

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According to Becket, Catholic schools in the Diocese of Portland helped families for years in providing their children "with an education that reflects their beliefs" through Maine's tuition assistance program.

In 1980, Maine officials announced that the program would exclude all "sectarian" religious schools — including Catholic schools — from its program.

St. Dominic Academy, offering K-12 classes, has campuses in Lewiston and Auburn, Maine. It is the only Catholic high school operated by the diocese in Maine.

The judge acknowledged the difficulty faced by the family, mentioning an earlier challenge to state statutes, Crosspoint Church v. Makin.

"Both cases implicate the fundamental tension that arises when the Maine Legislature’s view of the categories of people meriting protected status conflicts with the sincerely held beliefs of religious communities. Although the Diocese, St. Dominic, and Mr. and Ms. Radonis seek the protection (of) the Supreme Court’s decision in Carson, this tension has kept them from realizing the practical benefits of a landmark decision."

"Maine officials are keeping religious families and schools out in the cold," Adèle Auxier Keim, senior counsel at Becket, said in a statement. "The district court’s decision allows the state to continue paying for all-girls boarding schools in Massachusetts while denying benefits to rural families that want to attend St. Dominic, which has been serving Mainers for more than 80 years.

"We will continue to push back against Maine’s transparent efforts to evade Carson v. Makin and make an end run around the Supreme Court."