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The U.S. Supreme Court set a November date for oral arguments in a case over a clash between Catholic preschools and the state of Colorado over whether those schools can participate in the state's universal preschool program.

According to the Supreme Court's calendar for its term starting in October, it will hear the case [St. Mary Catholic Parish v. Roy](#) on Nov. 3. That date is also Election Day for the 2026 midterms.

The case concerns a Colorado program that provides funds — up to about \$6,000 — to parents to send their child to the preschool of their choice, public or private, including faith-based schools. However, Colorado has argued the Catholic preschools ran afoul of a nondiscrimination rule in the program that prohibits participating schools from refusing admission to any child on the basis of the sexual orientation and gender identity of the child or the child's family.

In April, the high court [agreed to hear the case](#) after two Catholic parishes with preschools in the Archdiocese of Denver — St. Bernadette in Lakewood and St. Mary in Littleton — alleged the state of Colorado excluded them from participating in the program due to their religious beliefs.

Both Catholic preschools ask families "to be supportive of the Catholic faith," Becket, a religious liberty law firm representing the schools, said at the time.

In response to Becket's request to the Supreme Court to hear the case, a March 2 filing from the state of Colorado argued, "Petitioners seek an exemption from this law to allow them to receive public funding while turning away preschoolers because of their, or their parents', gender identity or sexual orientation."

A decision in the case would come after oral arguments and before the end of the court's term next summer.

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