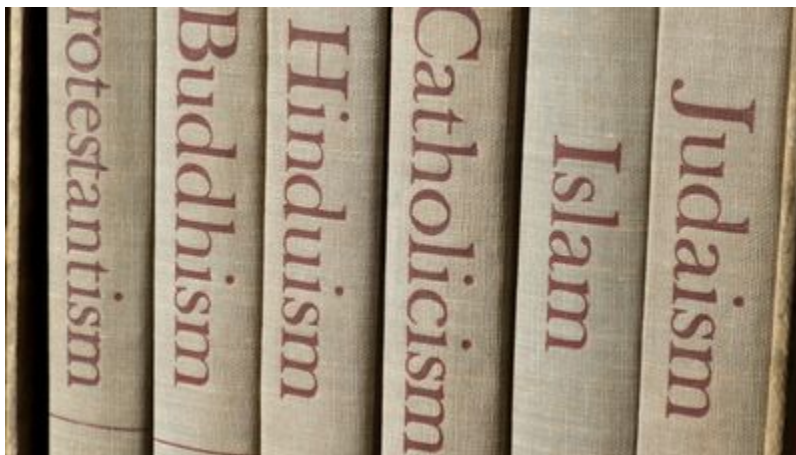
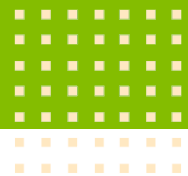




Viewpoints

Availability of Religious Schools for IDEA Services



A recent settlement between a group of parents of students with special needs and the California Department of Education has opened the door for religiously-affiliated schools and agencies to service special education students.

In October 2024, the Ninth Circuit issued a decision in *Loffman v. California Department of Education* holding that California's statutory requirement that nonpublic schools and agencies be nonsectarian violates the Free Exercise Clause. This month, CDE and Plaintiffs (along with LAUSD) agreed to no longer enforce the nonsectarian requirement. News articles have stated that the agreement opens the door for IDEA placements at religious schools.



However, the agreement does not strike down the requirements for state certification of NPS placements or NPA services, and any religiously-affiliated school or agency will still be required to apply for and abide all other licensing and oversight requirements.

The agreement means the state will begin to allow religiously affiliated schools to apply to be considered as potential IEP-determined placements and will provide the necessary oversight of those services.

www.k12dive.com/...

Professionals



David R. Mishook

Partner

Oakland

510.550.8239

dmishook@f3law.com