



**The Council of Parent Attorneys and Advocates, Inc.**  
*Protecting the Legal and Civil Rights of Students with Disabilities and Their Families*

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**Statement in Response to Supreme Court Decision in *Espinoza v. Montana Department of Revenue***

**WASHINGTON, DC** – In response to the U.S. Supreme Court’s decision in *Espinoza v. Montana Department of Revenue*, Selene Almazan, legal director for the Council of Parent Attorneys and Advocates (COPAA) issued the following statement:

“We’re disappointed the Court has ruled in support of the use of public funds to aid religious schools and failed to consider the issues COPAA raised in our joint amici brief regarding the impact on students with disabilities. Rather, the Court held in a 5-4 decision that the application of the provision of the state constitution barring aid to religious schools discriminated against religious schools and the families whose children attend or hope to attend in violation of the free exercise clause.

While the basic facts of *Espinoza v. Montana Department of Revenue* focused on whether it violates the religion clauses or the equal protection clause of the U.S. Constitution to invalidate a generally available and religiously neutral student-aid program simply because the program affords students the choice of attending religious schools, we believed the Court should also address the rights and opportunities of students with disabilities. In a joint amici brief with the National Disability Rights Network and The Arc we argued that for students with disabilities, private-school voucher and tax-credit programs, including the Montana program at issue in this case, risk restoring a disturbing era—during which these students had no right to an education, got no individualized support or services, and were segregated from their peers. And while the federal constitution may permit these programs, the Court should not disturb state court decisions invalidating them under the states’ own constitutions. Again, it is unfortunate that the Court failed to address these issues.”

Read the [final decision](#).

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The Council of Parent Attorneys and Advocates (COPAA) is an independent, nonprofit organization of 2600+ parents, attorneys, advocates, and related professionals; over 90% of whom identify as having a disability; or are parents or family members of individuals with disabilities. COPAA members nationwide work to protect the civil rights and secure excellence in education on behalf of the 7 million children with disabilities in America. COPAA’s mission is to serve as a national voice for special education rights and is grounded in the belief that every child deserves the right to a quality education that prepares them for meaningful employment, higher education and lifelong learning, as well as full participation in their community.

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