



Written by [Dave Bohon](#) on March 9, 2011

Catholic Student Group Wins Legal Battle With University of Wisconsin

According to the [Milwaukee Journal-Sentinel](#), “The case involved the 2007 request for student fee funding by Badger Catholic, then known as the Roman Catholic Foundation. Student government officials had approved a \$253,000 allocation, but the university later rejected \$35,000 of that because it had been earmarked for religious worship activities.”



The student group filed suit against the university, arguing that its denial violated the group’s First Amendment guarantee of free speech rights. The university contended that funding an organization that provides religious training and worship services amounted to a government endorsement of religion.

Last September the 7th U.S. Circuit Court of Appeals rejected the university’s argument and ruled that it must fund the student group’s activities, a decision the Supreme Court let stand when it declined to hear the case.

Jordan Lorence, senior counsel with the Alliance Defense Fund (ADF), which represented the Catholic group, called the High Court’s decision “a great victory for religious liberty,” explaining the ruling emphasized that the university must treat “religious groups the same as secular student groups when it’s distributing money for these groups to advocate their ideas on campus.” He said the ruling demonstrates the skewed thinking of schools that assumes “there’s somehow a constitutional prohibition on funding private religious groups on the same terms and conditions as everybody else.”

Lorence said that the constitutional guarantees of students in Christian organizations “should be recognized by university officials just as they recognize those rights for other student groups. The university funded the advocacy and expression of other student organizations but singled out a Catholic student organization to exclude funding some of its expression based purely upon its religious content, and that’s simply not constitutional.”

Nico Fassino, president of Badger Catholic, said the decision represented a victory for faith-based student organizations across the nation. “This will certainly allow Badger Catholic, and also student groups on the University of Wisconsin Madison campus and across the nation, to really deepen the level of programming they are able to provide for students and that students want to receive,” he said.

The university said that it had hoped through its appeal of the earlier ruling that the government would have provided “more complete guidance not only for our own institution, but for all institutions of higher education confronting similar situations.” Nonetheless, said the school in a statement, “We respect the court’s decision and will move forward.”



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Photo: Bascom Hall, UW-Madison campus



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