

UW-Eau Claire Faces Lawsuit Over School's RA-Led Bible Study Ban

By Jim Brown and Jenni Parker
December 5, 2005

(AgapePress) - The University of Wisconsin at Eau Claire is being sued over its ban on resident assistants (RAs) leading Bible studies in their dorm rooms -- a ban the school suspended one hour after a senior RA filed a federal lawsuit alleging UW had violated his free speech, freedom of association, equal access, religious freedom and due process rights.

The university allegedly warned Lance Steiger that he could face discipline if he continued having Bible studies in his dormitory room. His attorney, Kevin Theriot with the [Alliance Defense Fund](#) (ADF), says even though UW-Eau Claire eventually suspended the prohibition, the school has not eliminated the policy barring student assistants from holding Bible studies anywhere in the dorms, including their own rooms.

"At the conference that Lance Steiger [attended], where the chancellor suspended the ban, [UW officials] are still defending the policy, which is a very broad policy that is definitely unconstitutional," Theriot explains. "So that's why it's important, first of all, that we file the lawsuit and, secondly, that we go forward with it."

The complaint filed by ADF on Steiger's behalf alleges that UW-Eau Claire officials have applied the university's policy "so as to allow non-religious speech by RAs and other student employees in their dorms, but prohibit religious speech." The university did not change its position, even after the student contacted the [Foundation for Individual Rights in Education](#) (FIRE), which wrote a letter to the school officials explaining his rights.

Greg Lukianoff, FIRE's Director of Legal and Public Advocacy, says UW-Eau Claire "courted this lawsuit" by ignoring the outcry against this "legally and morally wrong" policy -- protested not only by FIRE but also by legislators, opinion makers, and the general public. He avers the university's hasty suspension of the ban immediately after the filing of the lawsuit demonstrates that the school never really believed it could defend "this repressive policy" in court.

The UW System, whose Madison campus features a similar ban, responded to FIRE with the belated claim that RAs have always been banned from leading "all" organizations and activities, not just religious ones, within UW-Eau Claire dorms. However, FIRE has pointed out that this claim conflicts with both the RA job description and the fact that the university has praised and supported RAs who led and organized various non-religious activities and programs.

A Charge of Religious Discrimination

Theriot says when UW-Eau Claire responded to the filing of the lawsuit by temporarily suspending its policy, university officials stated that a committee was going to study the matter. But the attorney contends, "It shouldn't take a committee to decide whether to respect the First Amendment rights of students."

The school has argued that RA-led Bible studies may alienate some students or make them feel judged, the plaintiff's attorney notes. However, he says, "The problem with that rationale is, first of all, they don't apply it evenly. They allow some views, but not religious views, to be advocated by RAs."

For instance, Theriot points out, "One RA organized a wing activity, or a dorm activity -- the *Vagina Monologues*, which is obviously very offensive to some people." The university allowed an RA to put on the controversial and sexually explicit play during work hours, he notes, but it

balked at letting RAs lead Bible studies on their own time.

"Colleges and universities shouldn't treat Christian students any differently than other students," the ADF lawyer asserts. "Unfortunately, by forcing residential assistants to refrain from exercising their First Amendment rights, the University of Wisconsin at Eau Claire is doing exactly that."

Theriot says he will drop the lawsuit if the university will revoke its policy and agree to no longer discriminate against RAs based on their religious beliefs. Otherwise, the ADF spokesman maintains, the lawsuit on Steiger's behalf will proceed until it is clear that the constitutional rights of UW-Eau Claire's students will be respected.

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