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The U.S. Supreme Court can save Colorado's Catholic education (Opinion)

Colorado is also violating our nation's cherished tradition of religious freedom



A group of school children look on as Archbishop James R. Golka holds up the proclamation from Pope Leo XIV during the Mass of Installation for Golka as the sixth Archbishop of Denver on Wednesday, March 25, 2026, at the CoBank Arena at the National Western Center in Denver. (Photo by Timothy Hurst/The Denver Post)

By **JAMES R. GOLKA** | Guest Commentary

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My mother possessed a rare gift: she could teach Nebraska schoolchildren both the thrill of dodgeball and the quiet power of the rosary. At the local Catholic school my nine siblings and I attended, she taught P.E., theology, and filled in as a substitute over the course of 50 years. She had a deep devotion to Catholic schools because she believed in education that forms the whole person: the heart, mind, soul — and yes, even the body.

That same educational vision guides our Catholic schools in Denver, where I am Archbishop. For over 150 years, we have taught children the practical skills they need in this life while forming them in the virtues that prepare them for the next.

Yet the state of Colorado is punishing this critical religious ministry. Since 2023, it has excluded the Archdiocese of Denver's preschools from its "universal" preschool program — all because we offer the distinctly Catholic education that attracts so many families to our schools.

On November 3, the U.S. Supreme Court will hear St. Mary Catholic Parish v. Roy and decide if Colorado can continue its targeted exclusion of our schools, to the detriment of Catholic families and religious freedom.

Three years ago, Colorado launched Universal Preschool (UPK), promising all families 15 hours of free preschool per week — worth approximately $6,300 a year — to use at the public, private, or faith-based school of their choice.

Gov. Jared Polis lauded the legislation as "world-class," claiming it would make preschool more accessible and affordable for every Colorado family. Parents across the archdiocese were eager to use this new benefit at our preschools, hoping to educate their children in the faith while reclaiming some of their hard-earned taxpayer dollars.

These hopes were swiftly crushed. When Colorado launched UPK, it erected discriminatory barriers that exclude our preschools — yet let over 1,000 other preschools do virtually the same thing. The state said that because we give admission preference to Catholic families and expect parents to support Church teaching, we violated UPK's "equal opportunity" rules. Translation: abandon your faith, or stay out.

No such ultimatum was issued to others. Secular schools may freely define the communities they seek to serve — including by serving only fully vaccinated children, only children living in the right neighborhoods or subdivisions, only children of a particular sex, or only children from low-income families. State bureaucrats even admitted during deposition that families could use UPK funding at preschools that have a preference for LGBTQ families or transgender children. Catholic schools serving only those families open to our Catholic teachings was, apparently, a bridge too far.

Colorado's exclusion has taken a toll. Catholic parents have been forced to pay thousands of dollars out of pocket–while watching their neighbors get state money to attend schools with different religious beliefs. Other families, unfortunately, have had to pull their children from Catholic preschool, citing the cost. It is thus no surprise that our preschools are struggling. Since UPK began, enrollment is down 20% across the archdiocese, and two of our preschools have closed their doors—including Wellspring Catholic Academy, which primarily served minority and low-income families.

Yet the tragedy here is not merely measured in dollars and cents. Colorado's attack on Catholic education threatens the broader culture. In our age of hyper-secularization, moral relativism, and technological reductionism, we urgently need schools that teach students who they truly are: immortal souls, beloved by God, capable of the good and the virtuous. Too often today our society teaches them the opposite. It feeds them the lie that their existence is an accident and that their lives have no higher purpose or deeper meaning. The predictable result is a culture unmoored from truth, adrift in confusion.

Catholic schools offer a radically different vision. As Pope Leo XIV has written, Catholic education involves "not only the transmission of content, but also the learning of virtues. It forms citizens capable of serving and believers capable of witnessing, men and women who are freer, no longer alone."

If Colorado's UPK program truly valued diversity and took seriously its goal of reaching every child in Colorado, the state would be supporting Catholic education — not freezing it out.

Colorado is also violating our nation's cherished tradition of religious freedom. That tradition rests on a simple observation about human nature: the religious impulse is natural to human beings; therefore, religious freedom is essential to human dignity. It allows each person to seek the answers to life's most fundamental questions. It ensures we can all pursue the true, the good, and the beautiful without fear that state bureaucrats will come knocking. As the Second Vatican Council affirmed in Dignitatis humanae, "the right to religious freedom has its foundation in the very dignity of the human person."

Colorado's discrimination thus does more than trample the rights of Catholics. It threatens the right of all Americans to follow their conscience and worship God as they see fit.

To vindicate religious freedom and defend Catholic education, the Archdiocese of Denver–along with a Catholic family of nine—has been fighting to end Colorado's exclusion for three years. On November 3, our attorneys at the Becket Fund for Religious Liberty will argue our case at the Supreme Court. I call on Americans nationwide to pray that justice prevails.

My late mother wasn't the last Golka to answer the call to Catholic education. Her beautiful witness inspired my older brother John to become a Catholic school principal, my sister Cindy to be a Counselor at a Catholic grade school, and my younger brother Greg to teach theology. Several of my nieces and nephews have become Catholic school teachers, too. Our family loves Catholic education because it teaches not only how to think but how to live. The Supreme Court must ensure that future generations can still receive that gift.

James R. Golka is Archbishop of Denver.

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