

# FREEDOM FROM RELIGION *foundation*

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April 3, 2024

**SENT VIA EMAIL & U.S. MAIL: [bmoss@marionunit2.org](mailto:bmoss@marionunit2.org)**

Superintendent Becky Moss  
Marion Community Unit School District #2  
1700 West Cherry Street  
Marion, IL 62959

Re: Outside organization allowed to illegally proselytize students

Dear Superintendent Moss:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding an ongoing constitutional violation at Adams School. FFRF is a national nonprofit organization with over 40,000 members across the country, including more than 1,200 members and a chapter in Illinois. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

A concerned parent informed us that the District is regularly allowing outside adults to enter Adams School during the school day to give low-income students food and candy along with overtly proselytizing messages. Gum Drop Kids is a southern Illinois nonprofit dedicated to providing food for children in need. According to our complainant, Gum Drop Kids provides snacks to low-income children at Adams School every Friday, and two of the snacks this year contained proselytizing messages. For instance, a Valentine's Day card said "Jesus Loves You!!" with a Latin cross drawn at the bottom. Another snack was accompanied with a bookmark with the same religious message as the Valentine's Day card. Please see the enclosed image.

We write to ask that the District investigate this matter and ensure that Adams School ceases permitting outside adults to evangelize students during the school day.

Students—including low-income students—have the First Amendment right to be free from religious indoctrination in their public schools. It is a basic constitutional principle that public schools may not show favoritism toward or coerce belief or participation in religion. *See Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290 (2000); *Lee v. Weisman*, 505 U.S. 577 (1992); *Wallace v. Jaffree*, 472 U.S. 38 (1985); *Epperson v. Arkansas*, 393 U.S. 97 (1967); *Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203 (1963); *Engel v. Vitale*, 370 U.S. 421 (1962); *McCullum v. Bd. of Ed.*, 333 U.S. 203 (1948). Here, Gum Drop Kids uses access to particularly vulnerable school children to promote a religious message that seeks to convert children to Christianity. This unconstitutional message accompanies something they desire and do not have access to. The school cannot allow outside adults to use charity as an excuse to indoctrinate students on school grounds during the school day.

Gum Drop Kids' tactic of combining indoctrination with charity is a common tactic employed by some ministries: Handing over food with a bible or other religious literature. The purpose is to lure disadvantaged individuals into believing that such religion—here Christianity—is responsible for or somehow attached to the cessation of hunger and dawning of prosperity. Here, Gum Drop Kids uses the hunger of particularly vulnerable children to the same effect. Adams School, and thus the District, invites Gum Drop Kids to do so if it fails to inform the organization that all messages to students must be secular.

Ultimately, it is the public school’s responsibility to ensure that materials given to children on school property during the school day do not unconstitutionally promote religion.

FFRF lauds the District and Adams School for seeking to partner with local organizations in order to address students’ needs to solve student hunger. However, the District must still abide by the Establishment Clause of the First Amendment in its pursuit of providing for students’ needs. Here, the school has allowed an outside group to feed its students and give them a sectarian message about Jesus Christ. That is impermissible.

The District allowing outside adults to push their religious views on students “sends the ancillary message to . . . nonadherents ‘that they are outsiders, not full members of the political community, and an accompanying message to adherents that they are insiders, favored members of the political community.’” *Santa Fe*, 530 U.S. at 309–10 (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O’Connor, J., concurring)). Non-religious students receiving that message will feel particularly alienated, since at least a third of Generation Z (those born after 1996) have no religion,<sup>1</sup> with a recent survey revealing almost half of Gen Z qualify as “nones” (religiously unaffiliated).<sup>2</sup>

To comply with the First Amendment the District must ensure that Gum Drop Kids ceases including religious messages with its weekly snacks. If Gum Drop Kids is unable or unwilling to comply, then the District can no longer partner with them. Further, the District must ensure that all other outside organizations understand the constitutional duty to adhere to the separation of state and church when interacting with public school students. Please reply in the writing with the steps that the District is taking to comply with its First Amendment obligation. Thank you for your time and attention to this matter.

Sincerely,



Samantha F. Lawrence  
*Anne Nicol Gaylor Legal Fellow*  
*Freedom From Religion Foundation*

SFL:hmj

Enclosure

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<sup>1</sup> Samuel J. Abrams, *Perspective: Why even secular people should worry about Gen Z’s lack of faith*, Deseret News, Mar. 4, 2023, <https://www.deseret.com/2023/3/4/23617175/gen-z-faith-religious-nones-civic-life-volunteers-charity/>.

<sup>2</sup> Ryan P. Burge, *2022 Cooperative Election Study of 60,000 respondents*, Apr. 3, 2023, <https://religioninpublic.blog/2023/04/03/gen-z-and-religion-in-2022/>.

Jesus loves  
you!!

**LLAMA** just say, I think  
you're **WOOLLY** cool!  
Happy Valentine's Day!

