



FREEDOM FROM RELIGION FOUNDATION

P.O. Box 750 • Madison WI 53701 • (608) 256-8900 • www.ffrf.org

September 13, 2010

SENT VIA FAX & U.S. MAIL
(814) 742-9049

Dr. Brian Toth
Superintendent
Bellwood-Antis School District
300 Martin St
Bellwood PA 16617

Re: Bible/Library Club at Bellwood-Antis Middle School

Dear Dr. Toth:

I am writing on behalf of a concerned district parent and taxpayer and other members of the Freedom From Religion Foundation (FFRF) to alert you to a serious separation between state and church concern occurring in your district. FFRF is a national nonprofit organization representing over 16,000 supporters across the country including over 500 in Pennsylvania. Our purpose is to protect the constitutional principle of separation between state and church.

It is our information and understanding that Bellwood-Antis Middle School has four clubs: Chorus, Band, Cartooning and Bible/Library Club. Our complainant informs us that the school librarian, Mrs. Crawford, runs the Bible/Library Club. Students participating in this club may “participate in various ‘Christ’ centered activities such as devotional readings, Bible study, prayer and games.” Please see the attached flier explaining the various clubs, which was sent home with all fifth and sixth grade students. The flier also tells students that they will “remain with [their] homeroom group for activity period the first semester” and that “by the end of the year, *you will have participated in all of the homeroom clubs.*” (emphasis added)

The existence of the Bible/Library Club raises serious constitutional concerns and potential violations of the Equal Access Act.

First, it is a fundamental principle of Establishment Clause jurisprudence that a public school may not advance, prefer or promote religion. *See generally, 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 Twshp. v. Schempp*, 374 U.S. 203 (1963); *Engel v. Vitale*, 370 U.S. 421 (1962). Therefore, a public school may not sponsor a Christian Bible club. We are deeply concerned that this “Bible/Library Club” is school-sponsored and not “student-initiated” or “student-run.” The flier distributed to all students indeed points out that this club is part of the “homeroom club,” in which all students will eventually participate. There is no indication anywhere that the club is organized and run by students. There is also no indication that the school district does not endorse the “devotional readings, Bible study, and prayer” that occurs at Club meetings. From

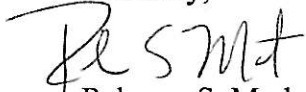
all appearances, a reasonable Bellwood-Antis Middle School student would presume that this Christian club *is* sponsored by the school. This leads to the inevitable conclusion that the middle school, and therefore the Bellwood-Antis School District, endorses religion over nonreligion, and specifically Christianity over all other faiths.

Second, Mrs. Crawford's involvement in the club raises grave concerns. Even if this "Bible/Library Club" is truly student initiated, it is grossly inappropriate for teachers, other public school employees or outside adults to actively participate in or promote these student-run religious organizations. Federal law dictates that public secondary schools receiving federal funds cannot discriminate against student organizations based on their religious, political, philosophical or other beliefs. *See Bd. of Educ. of the Westside Cmty. Sch. v. Mergens*, 496 U.S. 226, 235 (1990)(holding the Equal Access Act constitutional). However, the Supreme Court also stated that public school employees, including teachers and principals, should refrain from actively participating in religious activities while acting within their governmental role to avoid any perception of government endorsement of religion and/or excessive entanglement with religion. "Under the [Equal Access] Act, however, faculty monitors may not participate in any religious meetings, and nonschool person[s] may not direct, control or regularly attend activities of student groups." *Id.* at 253. The Court continued, "[m]oreover the Act prohibits school "sponsorship" of any religious meetings... which means that school officials may not promote, lead, or participate in any such meeting." *Id.*

Finally, we are concerned that these impressionable young students are compelled to attend the Bible/Library Club. "It is beyond dispute that, at a minimum, the Constitution guarantees that government may not coerce anyone to support or participate in religion or its exercise.." *Lee v. Weisman*, 505 U.S. 577, 587 (1992). Therefore, a public school is strictly prohibited from compelling any student to engage in religious clubs and their activities. There is no indication that students have the option not to participate. On the contrary, the flier states, "by the end of the year, you will have participated in all of the homeroom clubs" which includes a religious club.

Bellwood-Antis School District must take immediate action to ensure its students' rights of conscience are being upheld and respected. On behalf of our district parent complainant, we ask that you commence an immediate investigation into the Bible/Library Club at Bellwood-Antis Middle School. We request a written response to these allegations and to be informed of the steps your district is taking to ensure its area schools are in compliance with the First Amendment.

Sincerely,



Rebecca S. Markert
Staff Attorney

cc: Don Wagner, Principal

Enclosure

BELLWOOD-ANTIS MIDDLE SCHOOL

400 MARTIN STREET • BELLWOOD, PA 16617
PHONE: 814-742-2273 • FAX: 814-742-9817



DONALD W. WAGNER
Principal

www.blwd.k12.pa.us

TO: Fifth and Sixth Grade Students

SUBJECT: Activity Period - First Semester

DATE: August 30, 2010

You will remain with your homeroom group for activity period the first semester. We will continue to change activities every four and one-half weeks. By the end of the year, you will have participated in all of the homeroom clubs. You will also have the opportunity to elect to participate in the following activities during the first semester, space permitting. Fifth grade students will be given priority when scheduling for the second semester.

1. **Chorus: Mrs. Wright – Room 301 (Mon/Tues/Thurs) (Semester)**
Students will participate in this performing choral group. A choral concert will be presented to the public.
2. **Band: Mr. Wolfe - Room 301 - (Wed/Fri) (Semester)**
Students in the concert band must sign up for this activity. This will serve as your group band practice this year. New students must have Mr. Wolfe's permission before signing up.
3. **Bible/Library Club: Mrs. Crawford - Room 326 - (Wed/Fri) (9 Weeks)**
Students will assist in the various library activities of organizing and returning books to the shelves and creating bulletin boards. Students may participate in various "Christ" centered activities such as devotional readings, Bible study, prayer and games. Maximum number of students – 20.
4. **Cartooning: Mrs. Campbell - Room 304 (Wed/Fri) (9 Weeks) FIFTH GRADE ONLY**
Students will review cartoons, and then create their own original characters for a comic strip. Maximum number of students – 20.