

FREEDOM FROM RELIGION *foundation*

P.O. BOX 750 › MADISON, WI 53701 › (608) 256-8900 › WWW.FFRF.ORG

June 11, 2026

SENT VIA EMAIL & U.S. MAIL: dchristopher@wcasd.net

David Christopher
Superintendent
West Chester Area School District
782 Springdale Dr.
Exton, PA 19341

Re: Unconstitutional Religious Club and Assembly

Dear Superintendent Christopher:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation occurring in J.R. Fuggett Middle School. We were contacted by a concerned staff member. FFRF is a national nonprofit organization with over 41,000 members across the country, including 1,300 members in Pennsylvania. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

It is our understanding that Frank Nefos, a social studies teacher, leads a religious club for students in his classroom every Thursday morning from 7 AM to 7:23 AM, when the first homeroom bell rings. We are informed that during this time Mr. Nefos preaches Christianity to the attending students.

Additionally, it is our understanding that on January 23, 2026, during class time, Mr. Nefos ran a mandatory “assembly” for all students in the 6th grade where he presented about Pamoza International, a Christian missionary organization, under the pretext of the “Africa” curricular unit. Pamoza International states that its mission is to “share the Gospel,”¹ with its first listed initiative being “Character through Christian Outreach,” which it does by facilitating bible study groups and prayer.² We understand that Mr. Nefos encouraged all students to donate and help raise money for the organization during the assembly. We also understand that all 6th grade social studies students were required to attend, in lieu of class, and were not given the opportunity to opt out of the assembly.

Both the religious club before homeroom and the assembly are in violation of the First Amendment. It is well settled that public schools may not show favoritism towards or coerce belief or participation in religion. *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*,

¹ <https://pamoza.org/about-us/>.

² <https://pamoza.org/initiatives/#outreach>.

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); *McCollum v. Bd. of Ed.*, 333 U.S. 203 (1948). By allowing an employee to lead a religious club on school property, the District is in violation of the First Amendment. This usage constitutes “a utilization of the tax-established and tax-supported public school system to aid religious groups to spread their faith.” *McCollum*, 333 U.S. at 210.

Under the Equal Access Act, school personnel may not lawfully initiate or run religious student groups. They must be initiated and run by students, which does not appear to be the case here. “[T]he Act prohibits school ‘sponsorship’ of any religious meetings,..., which means that school officials may not promote, lead, or participate in any such meetings.” *Bd. of Educ. v. Mergens* 496 U.S. 226, 253 (1990) (citing 20 USC §§ 4071(c)(2) and § 4072(2)). In this case, Mr. Nefos is reportedly leading weekly sermons where he proselytizes to students.

Additionally, the right of students to be free from religious indoctrination in their public schools extends to school-sponsored assemblies. Public school teachers may not take advantage of their positions to gather students in order to promote an evangelizing religious organization. Even if students had been able to opt-out of the Pamoza International presentation, voluntariness is no excuse for violating students’ rights. *See generally Lee*, 505 U.S. at 596 (“the State cannot require one of its citizens to forfeit [their] rights and benefits as the price of resisting conformance to state-sponsored religious practice.”); *Schempp*, 374 U.S. at 288 (Brennan, J., concurring) (“the availability of excusal or exemption simply has no relevance to the establishment question”); *Mellen v. Bunting*, 327 F.3d 355, 372 (4th Cir. 2003) (“VMI cannot avoid Establishment Clause problems by simply asserting that a cadet’s attendance at supper or his or her participation in the supper prayer are ‘voluntary.’”); *Jager v. Douglas Cnty. Sch. Dist.*, 862 F.2d 825, 832 (11th Cir. 1989) (“... whether the complaining individual’s presence was voluntary is not relevant to the Establishment Clause analysis . . . [which] focuses on . . . state action, not on the choices made by the complaining individual.”).

Schools should not allow religious employees and organizations to treat schools as a recruiting ground for their religious mission. It demonstrates an unlawful preference not only for religion over non-religion, but in this case also Christianity over all other faiths. Any school religious groups must be bona fide student clubs that are both student-initiated and student-run. Similarly, any charitable efforts promoted by the school must be secular. School employees should not be actively involved in proselytizing or promoting religion with students, nor should the school allow outside religious groups to come into the school and proselytize or discuss religion with students.

In both situations, the club and the assembly, the school’s actions needlessly marginalized District students and staff who are nonreligious, as well as those who believe in minority faiths. The “[s]chool sponsorship of a religious message is impermissible because it sends the ancillary message to members of the audience who are 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)). Thirty-eight percent of

the American population is non-Christian, including the almost 30 percent who are nonreligious.³ More than half of Generation Z (those born after 1996) is non-Christian, including 43 percent who are nonreligious.⁴ Allowing staff to lead religious clubs and assemblies to proselytize students excludes nonreligious and non-Christian students.

We ask that the District commence an investigation into Mr. Nefos' religious club and assembly and take immediate action to ensure that it is not allowing teachers to organize and run religious clubs or presentations in violation of students' constitutional rights. Please inform us in writing of the steps the District is taking to remedy these violations of the First Amendment. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Madeline Ziegler". The signature is written in a cursive, flowing style.

Madeline Ziegler
Staff Attorney

MEZ:eg

³ Pew Research Center (2024), <http://bit.ly/3W6Cl3m>.

⁴ Pew Research Center (2024), <http://bit.ly/48Drzce>.