

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Zachary Rackovan v. The Pennsylvania State University

Rackovan · No. No. 4:25-CV-00603 · Decided March 4, 2026

SUMMARY

The United States District Court for the Middle District of Pennsylvania granted Pennsylvania State University’s partial motion to dismiss Counts III and IV of Zachary Rackovan’s second amended complaint, with prejudice. The court held that the plaintiff’s objections to COVID-19 testing were not religious beliefs protected under Title VII and the Pennsylvania Human Relations Act, although claims concerning the reasonableness of testing as an accommodation to the vaccine policy could proceed. Leave to amend was denied as futile.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Matthew W. Brann
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	March 4, 2026
DOCKET	No. 4:25-CV-00603
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss Counts III and IV of Plaintiff's second amended complaint, which asserted religious-accommodation claims concerning a COVID-19 testing policy under Title VII and the Pennsylvania Human Relations Act.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, disregards conclusory allegations, and determines whether the remaining factual allegations plausibly show an entitlement to relief under the Twombly and Iqbal pleading standard.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion; precedential status unknown
PARTIES	Zachary Rackovan v. The Pennsylvania State University

TOPICS

religious discrimination

title vii

motions to dismiss

civil procedure

employment law

PRACTICE AREAS

employment law

civil rights

health law

civil procedure

QUESTIONS PRESENTED

1. Whether the second amended complaint plausibly alleged that Plaintiff's objection to weekly COVID-19 testing was a religious belief protected under Title VII and the PHRA.
2. Whether, under *Federoff v. Geisinger Clinic*, Plaintiff needed to show that his objection to the testing accommodation was independently religious in nature when the testing requirement was an accommodation to a vaccine policy.
3. Whether Counts III and IV should be dismissed with prejudice and whether leave to amend should be denied as futile.

HOLDINGS

1. When a plaintiff plausibly establishes a religious objection to an underlying employment policy, the plaintiff need not show that the objection to the employer's accommodation is independently religious in nature; the accommodation may instead be challenged as unreasonable under the circumstances.
2. Plaintiff's objection to the standalone testing policy was not plausibly religious in nature and therefore did not state a Title VII or PHRA failure-to-accommodate claim.
3. Leave to amend was properly denied because another amendment would be futile.

KEY QUOTATIONS

"To survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" (Analysis)

"An unreasonable accommodation of religion may be demonstrated through two means. The accommodation may be unreasonable because it offends a sincerely held religious belief or practice . . . [or] the accommodation may be unreasonable under the circumstances." (Analysis)

"This is the epitome of a belief that is 'political, sociological, or philosophical' as opposed to religious in nature." (Analysis)

FACTUAL BACKGROUND

Rackovan alleged that his religious beliefs opposed vaccines and required him to avoid medical testing without an apparent medical justification. He worked fully remotely and challenged Penn State's requirement that he undergo weekly COVID-19 testing as an alternative to vaccination. He also alleged broader beliefs concerning home childbirth, homeschooling, avoiding vaccines, and following divine guidance. The court concluded that these allegations plausibly supported an objection to the vaccine policy and the reasonableness of testing as an accommodation, but did not establish that opposition to the nasal-swab testing policy itself was religious in nature.

PROCEDURAL HISTORY

Plaintiff filed a first amended complaint asserting religious-discrimination and wrongful-termination claims based on Defendant's vaccine policy and testing accommodations. The court previously dismissed the testing-accommodation and wrongful-termination claims in part, while allowing claims related to the vaccine policy to proceed and granting leave to amend. After Plaintiff filed a second amended complaint, Defendant moved to dismiss Counts III and IV. The court granted the motion with prejudice and denied further leave to amend as futile.

DISPOSITION

dismissed

CASES CITED

- *Federoff v. Geisinger Clinic*, 2026 WL 195416, at *4-5 (3d Cir. Jan. 26, 2026)
- *Finkbeiner v. Geisinger Clinic*, 623 F. Supp. 3d 458, 465 (M.D. Pa. 2022)
- *Federoff v. Geisinger Clinic*, 571 F. Supp. 3d 376, 392 (M.D. Pa. 2021)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678-79 (2009)
- *Connelly v. Lane Construction Corp.*, 809 F.3d 780, 787 (3d Cir. 2016)
- *Wilkerson v. New Media Technology Charter School*, 522 F.3d 315, 318-19 (3d Cir. 2008)
- *Africa v. Pennsylvania*, 662 F.2d 1025, 1030-31, 1035 (3d Cir. 1981)
- *Gray v. Main Line Hospitals, Inc.*, 717 F. Supp. 3d 437, 446-47 (E.D. Pa. 2024)
- *Fallon v. Mercy Catholic Medical Center of Southeastern Pennsylvania*, 877 F.3d 487, 490-91 & n.14 (3d Cir. 2017)
- *Equal Employment Opportunity Commission v. GEO Group Inc.*, 616 F.3d 265, 271 (3d Cir. 2010)
- *Ulrich v. Lancaster General Health*, No. 22-4945, 2023 WL 2939585, at *4 (E.D. Pa. Apr. 13, 2023)
- *Caruano v. Bayhealth Medical Center, Inc.*, 714 F. Supp. 3d 461, 469 (D. Del. 2024)
- *McDowell v. Bayhealth Medical Center*, No. 24-1157, 2024 WL 4799870, at *1-3 (3d Cir. Nov. 15, 2024)
- *United States v. Seeger*, 380 U.S. 163, 165 (1965)
- *Ritter v. Lehigh Valley Health Network*, No. CV 22-4897, 2024 WL 643543, at *5 (E.D. Pa. Feb. 15, 2024)
- *In re Burlington Coat Factory Securities Litigation*, 114 F.3d 1410, 1434 (3d Cir. 1997)
- *Bjorgung v. Whitetail Resort, LP*, 550 F.3d 263, 266 (3d Cir. 2008)