



AMERICAN ATHEISTS

January 14, 2026

The Honorable Rep. Susan Estes
Chair, Committee on Education
300 SW 10th Avenue
Topeka, Kansas 66612

Re: OPPOSE HB 2034, Allowing Religious Chaplains Access to Public School Students

Dear Chairperson Estes and Members of the Committee on Education:

American Atheists, on behalf of its constituents in Kansas, writes in opposition to HB 2034, a bill that would, with minimal requirements, allow chaplains into public schools to serve in roles typically reserved for professionally qualified school counselors. This bill would undermine the religious equality of all Kansas residents by subjecting students of nonsectarian public schools to religious coercion and interfering with parents' fundamental right to direct the upbringing of their children. We strongly urge you to reject this unconstitutional bill.

American Atheists is a national civil rights organization that works to achieve religious equality for all Americans by protecting what Thomas Jefferson called the "wall of separation" between government and religion created by the First Amendment. We strive to create an environment where atheists are accepted as members of our nation's communities and where bigotry against our community is seen as abhorrent and unacceptable. We promote understanding of atheists through education, outreach, and community-building, and work to end the stigma associated with being an atheist in America. American Atheists believes that no young person should be subject to religious coercion by the government.

HB 2034 would allow for chaplains to serve in support roles, either as volunteers or full time employees, for students in public schools, seemingly in place of or alongside actually qualified school counselors. We recognize there is an ongoing school counselor shortage throughout the country, including in Kansas. However,

allowing school chaplains to volunteer in schools is both an inappropriate and inadequate alternative to resolving this crisis.

Allowing school chaplains access to public school students violates one of our nation's founding principles: Religion and the government should remain in separate spheres to ensure all Americans' religious beliefs are respected. The Establishment Clause of the First Amendment requires that the government not favor one religion over another or favor religious belief over nonbelief. This constitutional guardrail is especially critical when children are involved, as they are particularly vulnerable to religious coercion within educational settings.¹ Bills such as HB 2034 carve out a space for religion within one of the nation's most important institutions — publicly funded, nonsectarian schools — and create an impermissible risk that students' religious freedom will be violated.

Even if students are not compelled to interact with chaplains against their will, the presence of religious authority figures at school inherently fosters an environment in which religious coercion can flourish. Students may feel pressured by their peers to meet with the chaplain. Even more concerning, they may view the presence of a chaplain as a government endorsement of that chaplain's religious beliefs and therefore feel pressure to conform their beliefs to those that their school or state appears to support. Growing up is challenging enough, and schools must be a space of safe expression for all students — not just those who adhere to particular favored religious beliefs. Lawmakers supporting this bill must ask themselves whether they would continue to support HB 2034 if their child attended a school district where the only source of support was not a qualified counselor but a chaplain of a different faith.

HB 2034 would also interfere with parents' fundamental right to choose how their children are raised by allowing chaplains to proselytize to students under the guise of providing support. This bill does not require parental consent before chaplains interact with students; explicitly prohibit chaplains from using their position as an evangelizing opportunity; or otherwise mandate that chaplains respect the diverse religious backgrounds of the students in Kansas's public schools. Instead, the

¹ See *Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203, 218 (1963) (the public education system was intended to benefit students of all religious backgrounds, not to convert students to whichever religious perspective the government favors); *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968) ("the vigilant protection of constitutional freedoms is nowhere more vital than in the community of American schools").

chaplains would have the ability to undermine parents' choices by directly influencing students' religious beliefs.

Public education is the bedrock of our pluralistic democracy, a place where students can go to learn no matter their background, beliefs, or nonbelief. If parents want their children to receive an education influenced by a particular religious tradition, they can choose to send their children to private school or homeschool them.² Chaplains should not have the ability to supersede that right by injecting their personal beliefs into schools that are required to serve all children.

School chaplains are also not qualified to provide the same types of support as school counselors. School counselors play multiple important roles within public schools, and they provide varying forms of support such as academic, professional, mental, and emotional support to help prepare students beyond their postsecondary career.³ Becoming a school counselor takes significant training. At minimum, school counselors must hold a master's degree in school counseling. In addition, counselors must meet the state certification and licensure standards while fulfilling the continuing education requirements and upholding ethical and professional standards. HB 2034 would allow chaplains to serve in place of school counselors despite their lack of qualifications and immunity from professional standards. This threatens to negatively impact student outcomes and needlessly undermines the efforts and extensive training required of counselors.

A chaplain's commitment to their particular religion does not qualify them to serve students, each and every one of whom has distinct needs, backgrounds, and experiences that must be met with extensive training and experience. A multi-state study showed that comprehensive, data-driven school counseling programs improve a range of student learning and behavioral outcomes.⁴ Furthermore,

² *Meyer v. Nebraska*, 262 U.S. 390, 400 (1923) (holding that parents have the fundamental right to direct the upbringing of their children); *Pierce v. Society of Sisters*, 268 U.S. 510 (1925) (holding that the fundamental right to direct the upbringing of one's children includes the ability to send children to private school for a religious education).

³ The Role of the School Counselor, Am. Sch. Counselor Ass'n (last updated 2023), <https://www.schoolcounselor.org/getmedia/ee8b2e1b-d021-4575-982c-c84402cb2cd2/Role-Statement.pdf>.

⁴ John Carey & Carey Dimmitt, *School Counseling and Student Outcomes: Summary of Six Statewide Studies*, 16(2) *Pro'l Sch. Counseling* 146 (Dec. 2012) (public schools that utilize the American School Counselor Association framework see increased ACT scores, a higher number of students taking the ACT, better math and reading scores, and fewer disciplinary issues amongst students).

research has shown that student-to-school counselor ratios that meet the American School Counselor Association recommendation in poverty-stricken schools have been linked to improved academic outcomes such as increased attendance, fewer disciplinary incidents, and higher graduation rates.⁵ Finally, school counselors can effectively assist underachieving students by examining school-wide data and use the data to host an effective group intervention.⁶

Instead of seeking to give chaplains volunteer or paid roles in public schools, the Kansas legislature should work to provide additional funding so that schools can employ school counselors equipped with the professional skills needed to assist students in their academic, vocational, and personal success.

Kansas's public schools must be safe and supportive learning environments for all students, and lawmakers should prioritize protecting — not violating — Kansans' constitutional right to religious freedom. We strongly urge you to reject this bill.

Should you have any questions regarding American Atheists' opposition to HB 2034, please contact me at vanderson@atheists.org.

Sincerely,



Victoria Anderson
State Policy Specialist
American Atheists

⁵ Richard T. Laplan, Norman C. Gysbers, Bragg Stanley, & Margaret E. Pierce, *Missouri Professional School Counselors: Ratios Matter, Especially in High-Poverty Schools*, 16(2) Prof'l Sch. Counseling (2018).

⁶ Carolyn Berger, *Bringing Out the Brilliance: A Counseling Intervention for Underachieving Students*, 17(1) Prof'l Sch. Counseling 86 (2013); Angelia M. Bruce, Yvette Q. Getch, & Jolie Ziomek-Daigle, *Closing the Gap: A Group Counseling Approach to Improve Test Performance of African-American Students*, 12(6) Prof'l Sch. Counseling 450 (Aug. 2009).