

Written Testimony in Opposition to House Bill 2034 (HB 2034)

Kansas House Education Committee – January 14, 2026

Re: “Authorizing school districts to employ chaplains or accept such persons as volunteers”

My name is Sean Davis. I am a Kansas resident and a community leader concerned about the wellbeing of our citizens and their children. I submit this testimony in opposition to House Bill 2034, which would authorize school districts to employ chaplains or accept them as volunteers to provide support, services, and programs for students.

This bill may sound compassionate, but it raises serious constitutional, ethical, and practical concerns.

Public schools are government institutions. As such, they are bound by both the U.S. Constitution and the Kansas Constitution to remain neutral on matters of religion.

The First Amendment prohibits the government from establishing or endorsing religion. The U.S. Supreme Court has repeatedly held that students must not be subjected to state-sponsored religious activity or subtle coercion in public schools. In *Engel v. Vitale* (1962) and *Abington v. Schempp* (1963), the Court ruled that school-sponsored religious activities violate the Establishment Clause—even when participation is technically voluntary. In *Lee v. Weisman* (1992), the Court recognized that the school environment itself creates pressure on students to conform, making true voluntariness difficult to guarantee.

Kansas law is even clearer.

Article 6, Section 6(c) of the Kansas Constitution explicitly states that **“no religious sect or sects shall control any part of the public educational funds.”** Article 6 also requires that public education be conducted in a way that serves all students without religious preference or influence.

Additionally, the Kansas Bill of Rights, Section 7, guarantees that **“no preference shall be given by law to any religious establishment or mode of worship.”**

HB 2034 conflicts with these principles by placing religious representatives into official or semi-official roles inside public schools.

Support services for students should be evidence-based, developmentally appropriate, trauma-informed, and accountable. That is why we license counselors, social workers, and psychologists. These professionals are trained in mandated reporting, confidentiality laws, child development, crisis response, and ethical boundaries. Chaplains are not required to meet these standards, and this bill does not require them to.

This creates real risk—for students and for school districts. Without standardized training, licensure, or oversight, districts could face liability related to religious coercion, discrimination, inappropriate counseling, or failures in safeguarding student welfare.

Students are minors. They are vulnerable. They often turn to authority figures during moments of stress, grief, and identity formation. Introducing religious volunteers into this space—without clear professional standards—creates a serious risk of harm, even when intentions are good.

This bill also undermines religious neutrality. If all chaplains are allowed, schools become arenas for competing belief systems. If only some are allowed, the state is effectively endorsing certain religions over others. Either outcome violates constitutional neutrality.

Religious freedom does not mean government-sponsored religion. It means freedom of belief and freedom from coercion.

Families already have many private and community-based options for religious guidance. Public schools should not be turned—intentionally or unintentionally—into religious spaces.

What students actually need is more licensed mental health professionals, more special education resources, and more evidence-based support services—not unlicensed religious volunteers with unclear roles.

HB 2034 does not solve a real problem. It creates new ones.

I respectfully urge the committee to reject this bill and to invest instead in inclusive, constitutionally sound, and professionally accountable student support services.

Thank you for your time and consideration.

Sincerely,

Sean Davis

Topeka Resident