

February 2, 2026

Testimony to the Senate Committee on Education

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TITLE: **Kansas Citizen / Voter**

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BILL NUMBER: **SB419, *Enacting the Kansas intellectual rights and knowledge act, providing a civil cause of action and penalties for violations of such act and authorizing students and student associations to exercise political and ideological beliefs, values and missions.***

PROPOSER, OPPOSER, or NEUTRAL: **Opponent**

ORAL or WRITTEN ONLY TESTIMONY: **Written Only**

Chair Erickson and Members of the Committee,

SB 419 raises serious concerns for me in three key areas of Kansans' lives: public post-secondary education, civil rights enforcement, and constitutional neutrality.

SB 419 creates broad, new exemptions allowing individuals or institutions within public colleges and universities to deny participation, services, or equal treatment based on their religious or ideological belief. In this context, such language risks legitimizing discrimination in accessing campus resources and student organizations, or to academic programs and campus housing, in employment or, perhaps, even in admissions — all traditionally governed by clear nondiscrimination standards and constitutional constraints.

As introduced, there is no language guarding individual belief while also still preserving equal access. Rather, SB 419 seems determined to elevate certain ideological claims above generally applicable laws. It also exposes public institutions to equal protection and Establishment Clause challenges and places students and employees at risk of exclusion without clear recourse.

I take particular note of overly expansive, vague language designed to create uncertainty — where public institutions will be forced to choose between compliance with constitutional/civil rights obligations and exposure to litigation. Not only does this shift conflicts (that should/could be resolved legislatively) into the courts, it exposes all parties to costly and attenuated legal battles.

Finally, I am struck by the significant ideological narrative and symbolic assertions of SB 419 which are fundamentally unrelated to the bill's operational role. Statutory findings should clarify legislative intent and guide enforcement — not embed advocacy or a preferred view. Thus, the practical effects will fall most heavily on students and employees from marginalized communities within the public universities, who also lack the resources to challenge discriminatory treatment.

I close with this: SB 419 moves Kansas away from neutral, enforceable law while unnecessarily jeopardizing equal access in public post-secondary education. Please reject or substantially revise this bill.

Leslie D. Mark

Mission Hills, HD 25 / Sen 7