

**Opponent Testimony of SB421
For the Senate Education Committee
February 4, 2026
Jay Simmons**

Chair Erickson and Members of the Committee,

Thank you for the opportunity to provide opponent testimony on Senate Bill 421.

I submit this statement to urge an end to further consideration of this bill. The bill addresses no substantive problem in the state's K-12 schools. If adopted, this bill will undermine our First Amendment rights by infringing on both the Free Exercise and Establishment clauses.

In terms of a substantive problem, students possess speech rights in school, a point well-established by *Tinker v. Des Moines* in 1969. Students are "assessed by ordinary academic standards of substance and relevance and against other legitimate pedagogical concerns identified by the school." Consequently, the bill leaves unclear what problem is being addressed.

If enacted, the bill will privilege religious activity in schools in violation of the Establishment clause of the First Amendment, which states, "Congress shall make no law respecting an establishment of religion" By sanctioning religious activities and organizations during the school day, SB421 infringes on the Establishment Clause. Thomas Jefferson, in his 1802 letter to the Danbury Baptist Association, made clear that the Establishment Clause exists to create a "wall of separation" prohibiting government from being involved in religious practice. SB421 undermines his foundational precept of our Republic.

Additionally, Jefferson argued that the preservation of the Establishment Clause is necessary as a safeguard for the Free Exercise Clause because the former prevents government from interfering with the latter. As Jefferson wrote in his defense of the Virginia State on Religious Freedom, only by preventing government from establishing or endorsing religious practice can we guarantee religious freedom to "the Jew, the Gentile, the Christian, the Mahometan, the Hindoo, and Infidel of every denomination."

In closing, please end further consideration of SB421. Our Republic has preserved religious freedom in the United States since its adoption on December 15, 1791. Rather than undermine religious freedom, please end SB421 and extend this remarkable 235-year legacy made possible by the First Amendment.

Sincerely,

Jay Simmons
4452 West 161st Place
Overland Park, Kansas 66085