

AMERICAN ATHEISTS

March 12, 2025

The Honorable Sen. Beverly Gossage
Chair, Senate Public Health and Welfare Committee
300 SW 10th Avenue
Topeka, Kansas 66612

Re: OPPOSE HB 2311, Favoring Personal Belief Over the Needs of Children

Dear Chairperson Gossage and Members of the Senate Public Health and Welfare Committee:

American Atheists, on behalf of its constituents in Kansas, writes in opposition to HB 2311, a harmful bill that falsely claims to protect religious freedom while harming at-risk young people by allowing the state to prioritize the personal beliefs of adults over the needs of children in the foster care system. Every young person in Kansas deserves a safe, loving home where they will be respected regardless of their identity. We urge you to protect Kansas children from discrimination by rejecting this 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. As advocates for religious liberty, American Atheists opposes any policy that sacrifices the well-being of vulnerable children to accommodate the religious beliefs of caregivers.

HB 2311 would strip away vital protections for children in foster care, allowing others’ religious beliefs to take precedence over their fundamental rights. This bill would allow LGBTQ+ children to be placed with families whose religious beliefs prevent them from treating the children with respect and dignity. It is an unprecedented undermining of neutral nondiscrimination laws that privileges religious belief over the safety and well-being of children. Kansas law currently allows religious child placement agencies to reject prospective LGBTQ+ foster and adoptive parents based solely on their identity,

AMERICAN ATHEISTS

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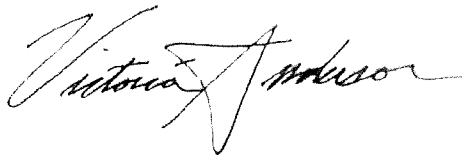
significantly reducing the number of suitable families for LGBTQ+ children.¹ If this bill were enacted, it would further restrict these children's chances of being placed in affirming, permanent homes, leaving them vulnerable to instability and discrimination.

LGBTQ+ children are over twice as likely to enter the foster care system compared to their non-LGBTQ+ peers because of strained family relationships — or even outright rejection — as a result of the child's sexual orientation and gender identity.² Even in the best case scenarios, when LGBTQ+ foster and adoptive children are placed in accepting homes, they are at a significantly higher risk of developing substance use disorders, poorer mental health, and worse educational outcomes.³ Placing children in non-affirming homes, where their identities may be denied or invalidated, will only compound the issue.

LGBTQ+ children, like all children, deserve loving homes and families where they are accepted for who they are. The state should not prioritize the religious beliefs of adults over the safety and well-being of children. We strongly urge you to protect at-risk Kansas youth by rejecting HB 2311.

Should you have any questions regarding American Atheists' opposition to HB 2311, please contact me at vanderson@atheists.org.

Sincerely,



Victoria Anderson
State Policy Counsel
American Atheists

¹ K.S.A. § 60-5322

² Jessica N. Fish, Laura Baam, Armeda Stevenson Wojciak, & Stephen T. Russell, *Are Sexual Minority Youth Overrepresented in Foster Care, Child Welfare, and Out-of-Home Placement? Findings From Nationally Representative Data*, 89 Child Abuse & Neglect 203 (Mar. 2019), <https://pmc.ncbi.nlm.nih.gov/articles/PMC7306404>.

³ Laura Baams, Bianca D.M. Wilson, & Stephen T. Russell, *LGBTQ Youth in Unstable Housing and Foster Care*, 143(3) Pediatrics (Mar. 2019), <https://pmc.ncbi.nlm.nih.gov/articles/PMC6398424>.



March 12, 2025

Laurel Burchfield
Advocacy Director, Mainstream Coalition
contact@mainstream.vote

Senate Committee on Public Health and Welfare
HB 2311 – Opponent Testimony, Oral, Virtual

Chair Gossage and Members of the Committee,

Mainstream was founded over 30 years ago by faith leaders who warned about the intrusion of narrow, extremist religious views into our government and public institutions. In the following decades, Mainstream members have fought to protect our religious freedoms and maintain strong church-state separation because Kansans value their freedom to live as they see fit without the overreach of government or religion into their personal lives.

HB 2311 privileges an extremist religious position over the safety and well-being of Kansas children, and we ask you to vote no.

This bill discriminates against and harms LGBTQ+ Kansans. It purports to be a religious freedom bill, and proponents during the House committee hearing argued that HB 2311 would open up more homes to vulnerable children and help LGBTQ+ families. If that were truly the case, Mainstream would support the bill and applaud the legislature for supporting religious freedom and LGBTQ+ children. Unfortunately, that's simply not the case with HB 2311

This bill is just one more attack by the supermajority of this legislature against LGBTQ+ Kansans, and it uses religious freedom to disguise intolerance, ignorance, and discrimination.

If the intent of this bill were actually to open up more homes to vulnerable children, then this committee would instead reverse the 2018 statute (60-5322: the adoption protection act) which allows adoption agencies to discriminate against LGBTQ+ families. If an agency holds religious beliefs that refuses to acknowledge same-sex unions and households, then that agency can legally refuse to place a child in that home, even if the applicant meets all other requirements to provide a safe and loving home. Not only that, but the agency can discriminate and still receive state funding. Kansas is one of only one of 14 states to have such a law on the books. This is an egregious abuse of religious liberties and prevents waiting children from being placed with loving LGBTQ+ families. **If this legislature actually wants to open more homes to children waiting for adoption or a foster care placement, they would reverse this statute.**

But that's not the intent of HB 2311. **It also doesn't protect children who are already vulnerable. Instead, this bill puts queer children in harm's way.** Sec 1(a)(2) would prohibit the DCF Secretary from creating any policies that would protect young queer kids from families who would use their "sincerely held religious or moral beliefs" to employ conversion therapy or other harmful anti-gay teachings. In short, a household that ascribes to a religious or moral belief that doesn't affirm LGBTQ+ identities can "guide or instruct a child consistent with such beliefs." Through this willful neglect, where would the line be drawn to protect a child from being subjected to hateful language or practices intended to change that child's identity? **This is state sanctioned child endangerment.**

HB 2311 does one thing – it privileges an extremist religious belief that is trying to erase queer Kansans.

Our religious freedom as guaranteed under the U.S. and Kansas Constitutions and religious freedom acts is not a tool to be wielded to harm others. We have the protected freedom to believe or not believe as we see fit, but sincerely held religious and moral beliefs are not an excuse to place children with families who would harm young gay Kansans. The role of the state is to ensure that these children are placed in households reflecting the best interests of the child. **It is an abuse of power for this legislature to decide that they, not DCF, should be the ones to define that best interest to be based on extremist religious beliefs.**

Mainstream urges you to reject HB 2311. Please prioritize the well-being of our children above all else.

March 12, 2025

Senate Committee of Public Health and Welfare

Opponent HB 2311

Oral in Person

Elise Flatland

I am a volunteer with Equality Kansas and I am here today as a mother of four children, two of whom are transgender. My husband and I have loved and supported our children from the moment they came into this world, and we have done everything in our power to help them live as their true, authentic selves. I want to share with you today why I oppose HB 2311, a bill that I believe could cause harm to children like mine, and to children all across Kansas who are simply trying to be themselves in a world that isn't always kind.

From the beginning, my husband and I have supported our children unconditionally. We didn't know much about what it meant to be transgender, but we knew our children. We knew them as young people who are bright, loving, creative, and full of potential. What we didn't know at the time, we quickly learned. The most important thing we learned is that being transgender isn't a choice or a trend. It is an inherent part of who they are. It is a small part but like every part it is essential to the sum of who they are. As parents, our job is to support them through their journey, to ensure they feel loved and accepted, and to do everything we can to make their lives better.

Imagine the nightmare of my children being placed into a home that based on religious beliefs, does not accept them for who they are. If they were to be placed in a situation where someone believed that their gender identity was part of some "evil conspiracy," the trauma they would face could be catastrophic. LGBTQ children already have to navigate so much pain in their lives living in a world that oftentimes doesn't understand and accept them for who they are. This bill mandates that potential religious guardians for LGBTQ children could "guide or instruct a child consistent with such beliefs". This broad language could lead to adults subjecting children to guidance that is harmful or even conversion therapy. Conversion therapy is still legal in the state of Kansas even though it is a dangerous and discredited practice.

These are children, not political pawns. They are human beings who deserve to be treated with dignity, respect, and compassion. If this bill passes, we are setting up an environment where the safety and well-being of LGBTQ children could be put in jeopardy. We are telling them that their identity is something that can be disregarded when they can be placed in homes where they might not be welcomed or understood. No child should ever feel like they are less than, or that they must hide who they are to be accepted. I urge you to think about the children who will be affected by this bill—the children who need us to have their backs, not to turn away from them.

If HB 2311 passes, it will put the lives of vulnerable LGBTQ children at risk. It creates an environment where people who care for these children—caseworkers, and social workers—may fear the legal consequences of making decisions that are truly in the best interest of the child. This bill claims decisions should be made based on what is best for the child, and that includes taking into account their identity, their needs, and their emotional well-being. Children, especially those in foster care, need to know they will be placed in homes where they are loved and accepted, not where they may be subjected to further trauma because of their identity. If this bill passes, I fear that many LGBTQ children will be placed in homes that do not offer them the support they need and deserve.

There will be cases when the fear of a lawsuit from adults will outweigh what is in the best interest of a child. The potential lawsuit is an immediate threat and obvious threat where the mental and emotional well being of a child is something that can easily be overlooked. I do not believe that potential custodians of children should be turned away. I do believe that there will always be some homes that are not right for every child. These decisions need to be made without the threat of lawsuits.

Prohibit the secretary from considering the religious or moral beliefs of a child or the child's biological family or community, including, but not limited to, beliefs regarding sexual orientation and gender identity, in relation to the religious or moral beliefs of a person selected or being considered for placement, custody or appointment, when determining whether an out-of-home or adoptive placement, custody for adoption or appointment of a custodian is in the best interests of the child; or

Saturday, March 8, 2025

Dear Kansas Legislators,

My name is Dr. Grey Endres. I am a 61year old lifelong Kansan, as I was born in Wichita and currently live in Lenexa. I graduated from Kansas schools with two degrees from the University of Kansas. I have worked with traumatized and abused children since 1986. My purpose has been to protect, educate, and treat children and families who have been victimized by violence, abuse and trauma. I am a licensed clinical social worker in Kansas, and my number is 1830.

In October of 2020, the Texas State Board of Social Work Examiners voted to change their code of conduct and allow social workers to discriminate against LGBTQ and disabled clients. The change was recommended by Republican Governor Greg Abbott. Two weeks later, the Texas Behavioral Health Executive Council voted unanimously to restore protections for LGBTQ and disabled clients to Texas social workers' code of conduct.

HB 2311 would allow foster care agencies in Kansas to make decisions for children in their care based on religious beliefs rather than on the best interest of the child. As in the case of the Texas State Board of Social Work Examiners, this law would allow an agency to discriminate.

If HB 2311 becomes law, it will lead to several unintended consequences and conflicts for the mental health professionals, agencies, and clients it is intended to protect. For example, any Kansas licensed social worker, psychologist, professional counselor, behavioral analyst, marriage & family therapist, addictions counselor, and/ or mastered level psychologist that worked in a foster care agency that followed HB 2311 would be at odds with their Kansas license. Each of those licensed behavioral health specialists are required by their Kansas license to follow their Kansas Administrative Regulations entitled *Unprofessional Code of Conduct* (102-2-7, 102-1-10a, 102-4-12, 102-7-11, 102-5-12, 102-3-12a, 102-8-11.) For example,

The social work unprofessional code of conduct states that;

(k) treating any client, student, or supervisee in a cruel manner; (l) discriminating against any client, student, or supervisee on the basis of color, race, gender, religion, national origin, or disability;

The addiction counselors' unprofessional code of conduct states that;

(j) engaging in any behavior that is abusive or demeaning to a client, student, or supervisee; (k) imposing one's personal values, spiritual beliefs, or lifestyle on a client, student, or supervisee; (l) discriminating against any client, student, directee, or supervisee on the basis of color, race, gender, age, religion, national origin, or disability;

In addition, engaging in any such unprofessional conduct would be contrary to each specialist's code of ethics. For example, the National Association of Social Workers Code of Ethics states

that the social workers' primary responsibility is to promote the well-being of clients and their interests.

1.05 Cultural Competence

*(b) Social workers should demonstrate knowledge that guides practice with clients of various cultures and be able to demonstrate skills in the provision of culturally informed services that empower marginalized individuals and groups. Social workers **must** take action against oppression, racism, discrimination, and inequities, and acknowledge personal privilege.*

Finally, any agency that would allow discrimination towards a client (custodian, or child) would they themselves be in violation of their individual agency's accreditation. For example, Foster Adopt Connect and TFI/The Family Initiative are accredited by the Council On Accreditation. KVC/Camber is accredited by the Joint Commission. Both of these accreditation bodies have standards that address discrimination.

If HB 2311 passes, it will violate seven Kansas Administrative Regulations. It is unnecessary, and will do more harm to Kansas licensed providers, the child welfare system, clients (parents, custodians, & children) and the agencies that are expected to provide services to the most vulnerable population – Kansas children.

Thank you for your service to the great state of Kansas.

Sincerely,



Dr. Grey Endres DSW MSW LCSW LSCSW

Lenexa, Kansas Resident

Kansas LSCSW #1830

Kansas Appleseed Strengthen Families Steering Committee member

NASW Peace & Justice Committee member

References

102-1-10a. Unprofessional conduct: Psychologist. (2004, 1, 9). Kansas Administrative Regulations. 102-1-10a.

102-2-7. Unprofessional conduct: Social Work. (2008, 12, 19). Kansas Administrative Regulations. 102-2-7.

102-3-12a. Unprofessional conduct: Professional Counselors. (2008, 8,8). Kansas Administrative Regulations. 102-3-12a.

102-4-12. Unprofessional conduct: Master's Level Psychologist. (2008, 8,8). Kansas Administrative Regulations. 102-4-12.

102-5-12. Unprofessional conduct: Marriage & Family Therapist. (2008, 8, 8). Kansas Administrative Regulations. [102-5-12](#).

102-7-11. Unprofessional conduct: Addiction Counselors. (2012, 1, 20). Kansas Administrative Regulations. [638412544110730000](#).

102-8-11. Unprofessional conduct: Behavior Analyst. (2016, 11, 14). Kansas Administrative Regulations. [638412553065730000](#).

National Association of Social Worker. NASW Code of Ethics. (2021). [Code of Ethics: English](#) (socialworkers.org)

Opponent Testimony for HB 2311
For the Senate Committee on Public Health and Welfare
Wednesday, March 12, 2025
Jay Flatland, Private Citizen

Madame Chair Gossage and Members of the Committee,

Thank you for the opportunity to provide testimony on HB 2311. I respectfully urge you to modify or oppose this bill.

Firstly, this is another bill that adds a cause of civil action as its teeth. Several senators have expressed reservation in similar bills toward yet another source of lawsuits. This bill would be improved by either removing this language or modifying it to another method of enforcement.

More generally, the intent of this bill is to prevent the secretary for children and families from adopting religiously discriminatory screening questionnaires, as has been occurring in other states. However, the language in this bill could be broadened such that it would not single out the LGBTQ+ community by modifying section 1.a.2 as follows:

Section 1.a.2) prohibits selection, appointment or licensure, if otherwise eligible, of a person because of such person's sincerely held religious or moral beliefs ~~regarding sexual orientation or gender identity or intent to guide or instruct a child consistent with such beliefs.~~

With this change, the clarification section 1.b could also be removed entirely, as well as language in the bill's introduction mentioning sexual orientation or gender identity.

Doing this would remove specific language targeting the LGBTQ+ community, and instead broaden the bill into a more generalized protection of freedom of religion with respect to custodial placement of children. **I believe doing this will remove much of the opposition while still achieving the desired goals.**

I respectfully urge you to either modify the bill as described above or oppose the bill entirely. Thank you for considering my testimony.

Sincerely,

Jay Flatland

Legislative Testimony

In **Opposition** HB2311

Senate Committee on Public Health and Welfare

March 12th, 2025

Written Only

Chair Gossage and Members of the Committee,

My name is Rashane Hamby, and I serve as the Director of Policy and Research at the American Civil Liberties Union (ACLU) of Kansas. The ACLU of Kansas is a nonpartisan, nonprofit organization with more than 35,000 supporters statewide, dedicated to protecting and advancing the civil rights and liberties of all Kansans. The ACLU of Kansas respectfully submits this testimony in strong opposition to HB 2311. This legislation would enshrine discrimination into law under the guise of religious freedom, permitting individuals to deny foster or adoptive placements based on personal beliefs regarding a child's sexual orientation or gender identity. Such a policy not only undermines the core mission of Kansas' child welfare system—to ensure the safety and well-being of vulnerable children—but also directly contradicts constitutional principles of equal protection under the law.

HB 2311 opens the door for the exclusion of LGBTQ+ youth from supportive, affirming homes simply because of who they are. These young people are already overrepresented in the foster care system due to family rejection and face higher rates of homelessness, mental health challenges, and abuse. Rather than addressing these systemic issues, this bill codifies discrimination, creating additional barriers to stability and support for children who need it most.

The legislation also raises serious legal concerns. By allowing individuals to refuse placements based on religious or moral beliefs, HB 2311 invites legal challenges under both state and federal non-discrimination protections. Courts have repeatedly held that while religious beliefs must be respected, they do not justify state-sanctioned discrimination—especially when it comes to government-funded services such as foster care and adoption. Kansas cannot afford to pass laws that invite costly litigation while simultaneously harming children in need of loving homes.

Furthermore, this bill does not reflect the principles of fairness and equal opportunity that Kansans value. Allowing child placement decisions to be dictated by individual biases rather than the best interests of the child is a dangerous precedent that puts vulnerable youth at risk. The state has an obligation to ensure that every child is placed in a safe, affirming, and stable environment, free from discrimination. HB 2311 does the opposite by prioritizing the personal beliefs of adults over the well-being of children.

For these reasons, we urge the Committee to reject HB 2311. Kansas must focus on strengthening protections for all children in state care, not creating policies that permit their

Legislative Testimony

In **Opposition** HB2311

Senate Committee on Public Health and Welfare

March 12th, 2025

exclusion. The ACLU of Kansas stands ready to work with legislators on real solutions that support the best interests of all children, rather than policies that legalize discrimination.

Thank you,
Rashane Hamby
ACLU KS Policy Director

Opposition Testimony for HB 2311

For the Senate Committee on Public Health and Welfare

March 12, 2025

Mo Horowitz

Chair Gossage and Members of the Committee, thank you for the opportunity to provide opponent testimony on HB 2311.

My mother worked in foster care for over a decade. I have a close friend who was placed in more than one foster home as a child. Their experience has helped me understand that foster care is inherently traumatizing, even when everyone is lovely, accepting, and respectful.

While I am grateful for the recent steps our state has taken to improve our foster care system, I fear that HB 2311 would put that progress at risk by failing to protect vulnerable young people. The phrase “sincerely held religious or moral beliefs regarding sexual orientation or gender identity” is a broad umbrella that can include practices that are extremely harmful to any child or teenager perceived as not being straight or cisgender by their foster parents. Layering trauma upon trauma increases the likelihood these young people will self-harm or run away, which in turn would place them in danger of further harm.

I also have concerns about the precedent this bill would set. For example, if a young person's Christianity is important to who they are, and a potential foster family says that they will never support or accept that, does HB 2311 create a precedent upon which the adults can successfully sue DCF if the child is not placed with them? Where is the line drawn?

I think we all agree that young people deserve homes where they are loved and valued. LGBTQ+ youth in our state are already at an unacceptably high risk of suicide. HB 2311 would create additional unnecessary dangers for Kansan children. Please put the children of our state before politics.

Thank you for your consideration.

Amanda Jones
Amanda Jones - private citizen
3/12/2025
HB 2311
Opponent
Written only

Dear Chairman, I appreciate your time. Please consider voting NO on HB 2311. It is important to the people you serve. You also need to serve the people who will be harmed.

I oppose any bills that make foster care even more unsafe. I am an adoptive mother. I'm Colorado in 2009 I adopted through foster care and have seen first hand how dangerous and cold a lot of foster parents are. Any thing that gives inappropriate control of the child's sexual identity and gender identity. Those things are private and we need not be inappropriately sexualizing minors. It offends my senses. I appreciate your time and hope you can see where I am coming from.

Again, I appreciate your time and implore you to vote no on HB 2311

Jamie Miller
4213 Wimbledon Drive
Lawrence, KS 66047

Senate Committee on Public Health and Welfare

Opposition Testimony for HB2311

Hearing Date: March 12, 2025
RE: Legislative Decision Making

Dear Senators,

As one of your constituents and a Disabled Veteran, I write to you with both concern and hope for the future of our nation and its guiding principles of freedom and equality. I served 6 years, 8 months, and 28 days on active duty in the United States Army. I served with honor and distinction. I was proud to wear the uniform, to serve our nation, and to defend our constitution. I believe, wholeheartedly, in the principles of freedom and equality for all.

I am deeply concerned about the increasing number of legislative decisions that restrict Americans' ability to choose the best path for their lives. These laws are not a reflection of freedom but of oppression — a choice that history has shown inevitably leads to unrest and division.

Particularly troubling are recent efforts to tie oppressive legislation, especially those targeting the transgender community, to religious beliefs. Framing these actions as 'Christian' not only risks alienating Americans from their government but also undermines the faith these laws claim to represent. When wielded as a sword, religion cannot draw people closer to it; it only drives them away.

As you reflect on the weight of your decisions, I ask you to consider the following poem. It speaks of the core values of compassion, accountability, and the grace we are all called to embody:

Judgement...

*If you believe there's a judgement day,
what do you expect to stand and say
when asked this question by the saving Lord,
"Have you earned your heavenly reward?"*

*Are you prepared to display your worth
to your Creator who gave you birth?
Will you describe the actions you took*

to live according to His good book?

*Will your compassion for your fellow man
open the gates to the heavenly land?
If God showed you the grace that you've shown me,
would you live for eternity?*

*"Love one another, as I loved you!"
This is what you're commanded to do.
Spoken through man from the heavens above
are your actions from a heart of love?*

*You may employ a linguistic spin
in hopes of earthly rewards to win.*

*If you believe there's a judgement day,
will you collapse to your knees and pray?
Will you see your life of sin
and know your crown, you would never win?*

*Would you proudly state your claim
or hang your head from a life of shame?
Would you expect some loving grace
or to be expelled from this place?*

*When asked by God, would you reply,
"To love one another, I did try!"
As you waited, exposed and scared,
should your soul be one that's spared?*

*Would you pass the omnipotent test
and be rewarded with heaven's rest?
Passing in with the chosen few,
will one of them be you?*

*You may employ a linguistic spin
in hopes of heavenly rewards to win.*

*If you believe there's a judgement day,
the gates shall open in only one way,
Know you're a sinner who was doomed to damnation,
given eternal life through His salvation!*

Thank you for taking the time to read and consider these perspectives. One of the foundational cornerstones of freedom is the understanding that we don't have to agree with one another or make the same choices for our lives. True freedom lies in allowing others the same dignity of choice we wish for ourselves. I remain hopeful that together, we can build a future rooted in compassion, understanding, and respect for all.

I welcome and encourage all replies, both in support or opposition, creating an open and respectful dialog regarding these matters.

Sincerely hopeful and worried for our nation,

Jamie Miller
Disabled Veteran



Taylor Morton, Kansas Lobbyist and Policy Analyst (written testimony)
Planned Parenthood Great Plains Votes
Regarding HB 2311 (Opponent)
Senate Committee on Public Health and Welfare
March 12, 2025

Planned Parenthood Great Plains Votes ("PPGPV"). PPGPV is the advocacy and political arm of Comprehensive Health of Planned Parenthood Great Plains and Planned Parenthood Great Plains ("PPGP"), which offer compassionate sexual and reproductive health care to patients with four health center locations in Kansas. PPGPV submits this testimony in opposition to House Bill 2311.

HB 2311 would allow for discrimination against members of the LGBTQ+ community in the foster care and adoption system. Adoption and foster care agencies would be allowed to discriminate based on sexual orientation and gender identity and still receive government funding. Under HB 2311, these agencies could refuse to consider prospective families for child placement under the guise of religious expression. This license to discriminate would make it more difficult for LGBTQ+ people to adopt or foster children. HB 2311 would also harm at-risk youth in foster care and those awaiting adoption—particularly LGBTQ+ youth.

In allowing for discrimination against LGBTQ+ Kansans in child placement and custody, Kansas children would be denied the broadest pool of qualified foster and adoptive parents. Same-sex couples raising children are seven times more likely to raise adopted and foster children than different-sex couples.¹ The children of LGBTQ+ parents fare as well as children of non-LGBTQ+ parents in terms of self-esteem, quality of life, psychological adjustment, educational outcomes, and social functioning.² The discrimination allowed under HB 2311 would harm LGBTQ+ Kansans and children in need of affirming, supportive care.

LGBTQ+ youth are already more likely to experience longer length of stays and placement instability in the child welfare system. Among LGBTQ+ youth of color, placement permanency is even less likely.³ Approximately 100,000 youth are waiting to be adopted in the United States, and 18,000 youth age out of foster care annually.⁴ 60% of children awaiting adoption have spent more than two years in foster care.⁵ In Kansas and nationally, youth are experiencing unstable placements and there are not enough current or prospective foster parents.⁶ Allowing agencies to discriminate against LGBTQ+ families would narrow the number of qualified adoptive and foster parents and make it even more difficult for children in care to find a home.

PPGPV urges the Committee to oppose HB 2311.

¹ <https://williamsinstitute.law.ucla.edu/publications/lgbt-parenting-us/>

² <https://williamsinstitute.law.ucla.edu/publications/report-lgb-parent-families/> ;
<https://williamsinstitute.law.ucla.edu/publications/transgender-parenting/>

³ <https://law.yale.edu/sites/default/files/area/center/ghjp/documents/yes-state-of-knowledge-sheet-2-lgbtq-youth-experiences-in-the-child-welfare-system.pdf>

⁴ <https://adoptioncouncil.org/article/foster-care-and-adoption-statistics/>

⁵ *Id*

⁶ <https://www.fosteruskids.org/faq/are-there-children-waiting-for-foster-homes> ; <https://www.kvc.org/blog/the-national-foster-care-placement-crisis-why-are-kids-sleeping-in-offices-video/> ; <https://cssp.org/wp-content/uploads/2024/09/McIntyre-v.-Howard-Period-3-Report.pdf>

Testimony before the Senate Public Health and Welfare Committee

NAME: Joseph Nicholas

TITLE: Private Citizen

BILL NUMBER: HB 2311

PROPONENT, OPPONENT, or NEUTRAL: Opponent

ORAL or WRITTEN ONLY TESTIMONY: Written Only

DATE OF HEARING: March 12, 2025

Chairperson Gossage, and members of the committee:

I am writing to express my strong opposition to HB 2311, which would prohibit the Secretary for Children and Families from enforcing policies that require foster and adoptive parents to affirm or support policies regarding sexual orientation and gender identity. While framed as a protection of religious freedom, this bill undermines the best interests of children in the foster care and adoption system, particularly LGBTQ+ youth who are already at higher risk for rejection, abuse, and mental health struggles.

This legislation prioritizes the beliefs of prospective parents over the well-being of vulnerable children, creating an environment where LGBTQ+ youth may be placed with caregivers who refuse to affirm their identities. Every child deserves a safe and supportive home, and policies should ensure placements that foster acceptance and stability rather than enable discrimination under the guise of religious or moral beliefs.

Additionally, HB 2311 grants a right to sue for individuals who feel their beliefs about gender identity or sexual orientation were violated, yet it offers no comparable protection for LGBTQ+ children who may face mistreatment. This imbalance is deeply concerning and places the rights of adults above the welfare of the children the system is meant to serve.

Kansas should be striving to create a foster care and adoption system that ensures all children are placed in loving, affirming homes, not one that allows discrimination at their expense. I urge you to oppose HB 2311 and instead support policies that protect and uplift all children, regardless of sexual orientation or gender identity.

Thank you for your time and consideration.

Sincerely,

Joseph Nicholas
Leawood, KS 66206

Alexis Perry
Private citizen
3/12/2025
HB 2311
Opponent
Written Only

Chair Gossage and Members of the Committee, thank you so much for giving me time to share my thoughts on HB 2311 with you today. My name is Alexis Perry and I am a voter in Leavenworth County. I am writing today to encourage the committee to vote NO on HB 2311

Would you put a child in the hands of someone you know would abuse them? Would you send them into a home where they could be hurt consistently? This bill is allowing this to be a possibility. This is endangering children by placing them in a situation where they could be hurt simply because of their LGBTQ identity. The pain this bill could be inflicting long term is detrimental. Voting yes would be voting to harm.

Once again, I thank you all for hearing my story and thoughts on this bill, and I encourage you all to vote no of the passage of HB 2311. Thank you.

Keaton Vaughn
Private Citizen
3/12/2025
HB 2311
Opponent
Written Only

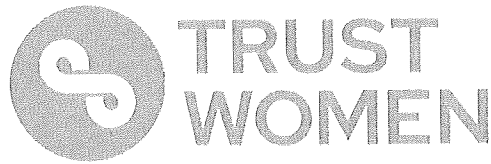
Chair Gossage and Members of the Committee, thank you so much for giving me time to share my thoughts on HB 2311 with you today. My name is Keaton Vaughn and I am a voter in Johnson County. I am writing today to encourage the committee to vote NO on HB 2311.

Every kid in foster care deserves to be in a loving and safe environment. This bill seeks to discriminate against LGBTQ+ kids by allowing them to be placed in the care of unsupportive adults. This is extremely harmful to LGBTQ+ children who need to have their identities respected and affirmed.

I am an LGBTQ+ adult who has lived in Kansas most of my life. Having affirming and caring friends and family around me has made a huge difference in my life. Kids in foster care deserve the same.

I urge you to put the safety of children first and vote against this bill.

Once again, I thank you all for hearing my story and thoughts on this bill, and I encourage you all to vote no of the passage of HB 2311. Thank you.



March 12, 2025

Opponent Written Only Testimony on HB 2311
Senate Committee on Public Health and Welfare

Chairwoman Gossage and Members of the Committee,

Thank you for allowing us to present our opposition to HB 2311. Trust Women Foundation is a Kansas-based health care provider dedicated to ensuring access to abortion care and comprehensive reproductive and sexual health services for our communities.

Trust Women strongly opposes HB 2311, a piece of legislation that threatens to undermine the very principles of equality and justice that our state stands for. This bill, under the guise of protecting religious and moral beliefs, opens the door to blatant discrimination against LGBTQIA2S+ individuals and families. It is a dangerous precedent that prioritizes prejudice over the welfare of children.

This bill allows service providers to refuse placements based on their personal beliefs regarding sexual orientation and gender identity. This is not a matter of religious freedom; it is a license to discriminate. It sends a clear message that LGBTQIA2S+ individuals are second-class citizens, unworthy of the same rights and protections as others. Such discrimination is not only morally reprehensible but also legally indefensible.

By creating a right of action for those who feel their beliefs are violated, this bill invites a flood of legal disputes. Our courts will be overwhelmed with cases, diverting resources from more pressing issues. This legal chaos will create an environment of uncertainty and fear, further destabilizing our child welfare system.

Furthermore, the most egregious aspect of this bill is its impact on children. It prioritizes the beliefs of service providers over the best interests of the children in their care. This could result in fewer placement options for children, leaving them in unstable or harmful situations. The welfare of our children should be our paramount concern, not the prejudices of a few.

HB 2311 is a step backward for Kansas. It is a bill rooted in discrimination, legal chaos, and harm to our most vulnerable citizens. I urge you to reject this bill and stand up for equality, justice, and the welfare of all Kansans.

Thank you for the opportunity to express our concerns about HB 2311.

Jessica Wannemacher
Senior Vice President of Strategy & Operations
Trust Women Foundation
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Opposition Testimony for HB 2311
For the Senate Committee on Public Health and Welfare
March 12, 2025
Tessa Widmer

Chair Gossage and Members of the Committee, thank you for the opportunity to provide opponent testimony on HB 2311.

I am writing today not only as a member of the LGBTQ+ community but also as a former foster youth to express my strong opposition to the proposed bill.

This legislation fundamentally misunderstands the needs and rights of young people within the foster care system. By allowing unaccepting foster parents to challenge policies that protect the dignity and identity of LGBTQ+ youth, we are sending a damaging message: that these children's identities can be sidelined in favor of personal beliefs or traditional values.

Foster youth, like all children, deserve to feel safe and accepted in their living environments. The foster care system is already fraught with uncertainty and trauma for many. Instead of creating an atmosphere where children feel pressured to conform to narrow standards, we should focus on nurturing acceptance and understanding. Every child deserves a loving home where they can express their true selves without fear of rejection or discrimination.

It is vital that we advocate for policies that respect and affirm the identities of LGBTQ+ youth, rather than those that empower individuals who refuse to recognize or accept them. Are we here to help children find safe homes, or to prioritize the preferences of those homes over the well-being of the children? Furthermore, how quickly could this dangerous precedent extend to include exclusions based on race, religion, or other identities?

Let us stand up for the safety and well-being of all children in the foster care system. We must ensure that the policies we support uplift and protect those who are most vulnerable.

Opposition Testimony for HB 2311

For the Senate Committee on Public Health

and Welfare

March 12, 2025

Cassandra Zwarts

Chair Gossage and Members of the Committee,

Thank you for the opportunity to provide opponent testimony on HB 2311.

As you are already aware, House Bill 2311 seeks to prohibit the Department of Children and Families from denying placement of LGBTQ+ foster youth with foster families that do not accept them. Additionally, it permits unaccepting foster parents to pursue legal action against the Department for any policies that necessitate respect for the sexual orientation or gender identity of foster youth. As a professional who works with foster youth, I must emphasize the significant representation of LGBTQ+ individuals within the foster care system, a phenomenon that often contributes to their placement in care. This issue is not confined to the state of Kansas; it resonates nationally.

The adult members of the LGBTQ+ community are striving to secure their rights, and it is imperative that we, as advocates for youth within the same community, engage in this struggle on their behalf. Our efforts must persist until we reach a point where such advocacy is no longer necessary. Allowing LGBTQ+ foster youth to be placed in environments that do not accept their identities is likely to lead to increased rates of hospitalization, instances of running away, and refusals to enter placements. The already high rate of youth running away from foster care is troubling, impacting both LGBTQ+ youth and their non-LGBTQ+ counterparts.

To place these children—who are navigating their identities and often feel abandoned, unwelcome, and unloved—into the homes of individuals who may subject them to further mistreatment or hostility is a disservice to their well-being. These children are already facing significant challenges resulting from their experiences in the foster care system, and regardless of the circumstances of their placement, such an environment is inherently unsafe. The enactment of this bill could precipitate a rise in absences without leave (AWOLs), hospitalizations, and suicidal ideation among these vulnerable youth, as well as exacerbate the mistreatment they face in placements. Is this truly what we desire for children? It is my firm belief that this bill should not be enacted under any circumstances.