

# **National School Chaplains Assoc Testimony**

Uploaded by: Johnny Davis

Position: FAV



[www.campuschaplains.org](http://www.campuschaplains.org)  
P.O. Box 720746  
Norman, OK 73070  
405.831.3299

February 22<sup>nd</sup>, 2024

Testimony in support of school chaplains / SB0612:

Dear Education, Energy, and the Environment Committee,

Chaplains have played a necessary role in this nation for over 200 years as their unique position has shaped its moral and spiritual backbone. Because of their well-documented success among people of all races, beliefs, cultures, and orientations, their immense value is recognized and utilized among many institutions today, including government facilities, hospitals, airports, professional sports teams, prisons, the military, and corporations. Their ability to provide necessary spiritual care has been shown to dissipate tension, resolve conflict, and bring hope. In times of crisis, Chaplains are brought in to provide trauma care and bring hope – even in some of the darkest hours this nation has faced. According to a Gallup Poll, 93% of all people polled found interactions with chaplains valuable.

According to the NEA, teachers are suffering from burnout, and many are looking for early retirement at an unprecedented rate. Public Schools have a massive shortage of LPCs (licensed professional counselors), violence continues to rise, children are dealing with the highest levels of mental health issues and hopelessness.

Teachers are tested at the same levels of stress and anxiety as First Responders, yet unlike our First Responders, teachers do not have access to a chaplain. US teachers are 76% female, which also seems to imply discrimination against women and/or teachers who continue to suffer from ongoing stress and anxiety without access to chaplains.

Chaplains are trained to provide spiritual/secular care for people of all backgrounds. They are trained in situational awareness and risk assessment, provide another layer of school security, safe spaces for teachers, staff, and students, provide non-religious spiritual care, act as a liaison between staff and parents, acquainted with referral agencies, confidential counseling, trained in trauma care, and represent God (not the church).

As the world's largest provider of certified school chaplains (30k schools in 23 countries), we have seen remarkable improvements in Motivation and goal setting, inter-student relationships, student-teacher relations, respect for authorities, problem-solving, school safety, self-respect, confidence, and grades. Our data also shows a decrease in Reported violence at school and home, alcohol and drug consumption, discipline issues, and bullying.

We urge you to please support the passage of this bill, as our nation's future depends on it.

Thank you,

A handwritten signature in black ink that reads "Johnny Davis". The signature is written in a cursive, flowing style.

Johnny Davis

Chief Development Officer

**Data Sources on the following page\***

Gallup Poll - Interactions with Chaplains:

<https://news.gallup.com/opinion/gallup/406838/one-four-americans-served-chaplains.aspx>

NEA Article on Teacher Burnout and Early Retirement: <https://www.nea.org/about-nea/media-center/press-releases/nea-survey-massive-staff-shortages-schools-leading-educator-burnout-alarming-number-educators>

LPC Shortage in US Public Schools: <https://www.charliehealth.com/research/most-states-have-a-school-counselor-shortage>

NIJ Data on Violence in Schools: <https://nij.ojp.gov/topics/articles/what-do-data-reveal-about-violence-schools>

CDC Stats on Mental Health among children post-COVID:

<https://www.cdc.gov/mmwr/volumes/71/su/su7103a3.htm>

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**FINAL Written Testimony for SB 612 Chaplain Bill\_2**

Uploaded by: LORNA HENRY

Position: FAV



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ARIZONA

February 22, 2024

Brian J. Feldman, Chair  
Education, Energy & the Environment Committee  
2 West  
Miller Senate Office Building  
Annapolis, Maryland 21401

Re: SB 612 – County Boards of Education – Volunteer Aides – School Chaplain  
Testimony of the Pacific Justice Institute

Dear Chair Feldman and Members of the Committee:

The Pacific Justice Institute (PJI) is a national non-profit law firm focused on the defense of religious freedoms, parental rights and other civil liberties. I work as PJI's Maryland attorney. We are writing to express our **support** for Senate Bill 612 which gives local school boards the option to use chaplains as volunteer aides in schools to provide support services to students.

Anxiety, depression, suicide, bullying, and substance abuse are among some of the many concerns children and teenagers face within their schools and in society at large.

The use of volunteer chaplains in public schools is a means by which local school districts can attempt to address these concerns with the hope of preventing further escalation of these issues within the public school system.

According to the National School Chaplain Association, the largest provider of certified school chaplains globally, use of chaplains in schools leads to **increased**:

- Teacher retention
- School safety
- Confidence
- Motivation and goal setting
- Grades
- Graduation rates

Additionally, the use of chaplains leads to **decreased**:

- Bullying
- Teen pregnancies
- Alcohol and drug consumption
- Reported violence at school and home

Moreover, extensive judicial precedent supports the use of chaplains in public schools without violating the Establishment Clause.

In *Katcoff v. Marsh*, the Court found that military chaplain programs do not violate the Establishment Clause.

Additionally, in cases like *Santa Fe Independent School District v. Doe*, 530 U.S. 290 (2000), and *Lee v. Weisman*, 505 U.S. 577 (1992), the Supreme Court has made it clear that one of the hallmark features of a violation of the Establishment Clause is when there is coercive conduct. In this legislation, SB 612, there is no coercion. The bill simply adds the following 19 words to Maryland's Education Code: "A County Board **may** use a Chaplain as a volunteer aide in schools to provide support services to students" (emphasis added).

This bill does not *require* the use of Chaplains but rather empowers local school districts to add Chaplains (if they so choose) as an additional resource for students. Notably, the Education Code also states that Chaplains may not replace educational personnel and are subject to existing guidelines pertaining to volunteer aides in their respective school systems.

Chaplains presently work in many publicly funded institutions and in private companies. Chaplains serve in hospitals, mental health facilities, correctional institutions, hospice centers, and nursing homes. Chaplains are so useful and beneficial that they also serve in fire departments, law enforcement agencies and in various sectors of our federal government such as the military, the U.S. House of Representatives and Senate and the FBI.

Chaplaincy has been upheld for over 250 years. More than a dozen states are considering similar legislation this session. The use of Chaplains is constitutionally protected and does not violate the separation clause of the First Amendment. The benefits of chaplains in public schools to address the prevalence of mental health concerns, substance abuse issues and suicide rates is both laudable and necessary.

If Chaplains have been used to help correctional facilities and hospitals, and improve the well-being of our public servants and government officials (often dealing with traumatic issues and emergency situations), why should we exclude Chaplains from public schools where there are scores of young kids and teenagers who may need it the most?

For the foregoing reasons, we ask that you strongly consider the extraordinary benefits of giving local school districts the option to use chaplains as volunteer aides in public schools, and issue a favorable report on this bill.

Sincerely,

/s/ Lorna M. Henry

Lorna M. Henry, Esq.  
Maryland Staff Attorney  
Pacific Justice Institute  
Main: (949) 570-9985  
Cell: (410) 504-2450

# **MARYLAND ANNOTATED EDUCATIONAL CODE.pdf**

Uploaded by: johnny salling

Position: FWA

[< Previous](#)[Next >](#)

## Md. Education Code Ann. § 6-122

### Copy Citation

Current through all legislation from the 2023 Regular Session of the General Assembly; and including legislative changes ratified by the voters at the November 2022 election.

[Michie's™ Annotated Code of Maryland](#) [Education \(Divs. I – IV\)](#) [Division II. Elementary and Secondary Education. \(Titles 2 – 9.11\)](#) [Title 6. Teachers and Other Personnel. \(Subts. 1 – 10\)](#) [Subtitle 1. Personnel Matters. \(§§ 6-101 – 6-128\)](#)

### § 6-122. Training for youth suicide risk and students in crisis.

(a) Except as provided in § 6-704.1 of this title and beginning on or before July 1, 2018, the State Board shall require all certificated school personnel who have direct contact with students on a regular basis to complete training on or before December 1 each year, by a method determined by each county board, in the skills required to:

- (1) Understand and respond to youth suicide risk;
- (2) Identify professional resources to help students in crisis;
- (3) Recognize student behavioral health issues;
- (4) Recognize students experiencing trauma or violence out of school and refer students to behavioral health services; and
- (5) If the school is a community school, support any students needing the services at a community school.

(b) The training required under subsection (a) of this section shall be:

- (1) Provided to certificated school personnel during an in-service program; or
- (2) A professional development requirement that may be met during time designated for professional development.

(c) The State Board shall adopt regulations to implement this section.

(d)

(1) This section may not be construed to impose a duty of care on certificated school personnel who complete training under subsection (a) of this section.

(2) Unless the acts or omissions of a certificated school employee who completed training under subsection (a) of this section are willful, wanton, or grossly negligent, a person may not bring an action against the county board for personal injury or wrongful death caused by



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**§ 6-113.2. Screening of applicants; child sexual abuse or sexual misconduct investigations**

West's Annotated Code of Maryland  
Education  
Effective: July 1, 2021 to June 30, 2026

West's Annotated Code of Maryland  
Education (Refs & Annos)  
Division II. Elementary and Secondary Education [Titles 2-9.5] (Refs & Annos)  
Title 6. Teachers and Other Personnel (Refs & Annos)  
Subtitle 1. Personnel Matters (Refs & Annos)

Effective: July 1, 2021 to June 30, 2026

MD Code, Education, § 6-113.2

**§ 6-113.2. Screening of applicants; child sexual abuse or sexual misconduct investigations**

[Currentness](#)

<Section effective until July 1, 2026. See, also, section 6-113.2 effective July 1, 2026.>

**Definitions**

(a)(1) In this section the following words have the meanings indicated.

(2) "Child sexual abuse" has the meaning stated in § 6-113.1 of this subtitle.

(3)(i) "Contracting agency" means an entity that contracts with a county board or nonpublic school to provide a service to a school or the students of a school.

(ii) "Contracting agency" includes an entity that provides transportation to and from a school using a vehicle other than a Type I or Type II school vehicle, in accordance with § 7-801 of this article.

(4) "Direct contact with minors" means the care, supervision, guidance, or control of, or routine interaction with, a minor.

(5) "Emergent employee" means an employee hired by a county board or nonpublic school without completing the employment history review required under this section.

(6) "School" means a public or nonpublic school.

(7) "Sexual misconduct" has the meaning stated in § 6-113.1 of this subtitle.

**Submission of information**

(b) A county board, nonpublic school, or contracting agency shall require an applicant for a position involving direct contact with minors to submit:

(1) The contact information of the following employers:

(i) The current employer;

(ii) All former school employers, including employers for which the applicant was an emergent employee; and

(iii) All former employers of the applicant in which the applicant was employed in a position involving direct contact with minors within the previous 10 years;

(2) A written consent form, signed by the applicant, authorizing an employer listed under item (1) of this subsection to release all records relating to child sexual abuse or sexual misconduct; and

(3) A written statement of whether the applicant:

(i) Has been the subject of a child sexual abuse or sexual misconduct investigation by any employer, arbitrator, county board, State licensing agency, law enforcement agency, or child protective services agency, unless the investigation resulted in a finding by:

## RE: SB612 - Amendment Attachment



Baran, Kira

Fri 2/9/2024 11:49 AM

To: Salling, Johnny Ray Senator



Reply |

Inbox



Action Items



Hey Danielle,

Per our phone conversation yesterday morning, I did some digging to confirm why some details of the attachments were not included in the bill text.

Section 23.0001 of the Texas Education Code begins on page 4 of the attachment you provided in this email thread:

1. Subsection (A) provides that a school district may employ a chaplain as a volunteer to provide support services to students and is not required to be certified by the State Board.
2. Subsection (B) requires the chaplain to comply with applicable employment requirements for volunteers.
3. Subsection (C) prohibits the school district from employing a volunteer chaplain who has been convicted of or disciplined for a sexual offense.

In the current bill text, we authorize the school board to employ a volunteer chaplain to provide support services to students by adding a provision to 6-106 of the Education Article.

We didn't include provisions regarding background checks, etc. because public schools are already required to do this for all volunteers without needing to specify for a specific type of volunteer under 6-113.2 of the Education Article.

Please advise how you would like to proceed.

Thank you,  
Kira

**From:** Salling, Johnny Ray Senator <JohnnyRay.Salling@senate.state.md.us>

**Sent:** Thursday, February 08, 2024 9:16 AM

**To:** Baran, Kira <Kira.Baran@mlis.state.md.us>

**Subject:** Re: SB612 - Amendment Attachment

Hi Kira,

Thank you so much for calling me. As discussed, I have attached the Texas code for you to model the amendment.

# **WRITTEN TESTIMONY.pdf**

Uploaded by: johnny salling

Position: FWA



JOHNNY RAY SALLING  
*Legislative District 6*  
Baltimore County

Budget and Taxation Committee  
Public Safety, Transportation,  
and Environment Subcommittee



James Senate Office Building  
11 Bladen Street, Room 321  
Annapolis, Maryland 21401  
410-841-3587 · 301-858-3587  
800-492-7122 Ext. 3587  
JohnnyRay.Salling@senate.state.md.us

THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

Education, Energy, and the Environment Committee  
Senator Brian J. Feldman  
Senator Cheryl C. Kagan  
2 West  
Miller Senate Office Building  
Annapolis, Maryland 21401

To the Chair, Vice Chair and Committee Members of the Education, Energy and the Environment Committee:

I express my gratitude to the Chair, Vice Chair, and Members of the Education, Energy and the Environment Committee for allowing me to address Senate Bill 612, which is cross filed with Delegate Metzgar as House Bill 1234. This bill consists of enabling legislation that will allow all local Boards of Education across Maryland and Baltimore City to use a chaplain as a volunteer aide in schools to provide services to students and staff.

Chaplains play a vital role in fostering a sense of community and inclusivity within the school. They organize events, such as multicultural celebrations or interfaith dialogues, that promote understanding, respect, and cooperation among students from diverse backgrounds.

Chaplains collaborate with guidance counselors to provide holistic student support, referring them for mental health assistance when necessary. This partnership grants chaplains' access to various resources, ensuring a comprehensive support system. Together, they foster a nurturing environment that promotes student well-being.

During times of crisis or tragedy, such as the loss of a classmate or a natural disaster, chaplains can offer immediate support and counseling to students and staff. They provide comfort, empathy, and spiritual guidance to help individuals cope with difficult circumstances. Chaplains can provide a safe space for students to discuss their emotions, fears, and concerns. They offer spiritual guidance and comfort to those who may be experiencing personal or familial difficulties.

This bill does not specifically address background checks, risk assessments, situational awareness training, and similar measures, because Maryland Code stipulates that all personnel engaging in direct contact with students must undergo these essential training programs to maintain their eligibility to offer their services.

I have drafted an amendment that will add the term “spiritual advisor” to accompany the use of “chaplain” in the bill. I have also added an amendment that will explain the definition of a chaplain as “a minister, rabbi, priest, imam, lay leader, or similar functionary of the faith group that is qualified spiritually, morally, intellectually, and emotionally to serve as a chaplain in a school district.” I have also added an amendment that will state that a chaplain must be “sensitive to religious pluralism and be able to provide for the free exercise of religion by all students.”

I would like to make it clear that this bill does not require students to use a volunteer chaplain's services; it's entirely their choice. This bill will not infringe on the rights of students or parents who want to openly practice the faith of their choosing. As stated previously, all chaplains must not disparage any religion, belief, lack of belief, or faith group.

In closing, the presence of a school chaplain can offer invaluable support to students, providing a safe space for emotional and spiritual guidance.

Once again, thank you for considering the importance of this proposal, and I trust that the committee will urge a favorable report after carefully weighing the potential benefits of Senate Bill 612 in shaping a positive and nurturing environment to all Maryland students.

Sincerely



Senator Johnny Ray Salling

# **SB612 Testimony 2024.pdf**

Uploaded by: Debi Jasen

Position: UNF

**Senate Bill 612 - UNFAVORABLE**  
**Education, Energy, and the Environment**

Honorable Chair, Vice Chair, and Members of the Education, Energy, and the Environment Committee;

Please give Senate Bill 612, regarding allowing chaplains to serve as aides in public schools, an Unfavorable report.

Not only is it not the place of the public school system to allow religious leaders to counsel students, it's blatantly unConstitutional. Just read the first amendment. Allowing chaplains into the public schools to serve as "aides" would be an obvious endorsement of religion. Even if the chaplain was nondenominational, chaplains provide counseling and spiritual guidance. There are no definitions of "chaplain" in this bill, just as there are no parameters for what a chaplain would do as an aide in a public school. What are the "support services" that a chaplain, specifically, would offer?

If I was a chaplain and allowed in the schools to provide "support services," a large amount of my support would be in the form of affirming the LGBTQ+ students by telling them that anti-LGBTQ+ religions are wrong. I'd also provide "support services" by providing LGBTQ+ students with information about affirming groups, ways to deal with anti-LGBTQ+ parents, and possibly even counseling about how to become emancipated and find a loving, accepting home to live in. And of course I'd counsel pregnant students on how to access abortion. Actually, that sounds like a good use of my time. I think I'll look into becoming a chaplain now. Thanks! I see that the Satanic Temple has a chaplain program, and will have their ministers volunteer in Iowa schools if their chaplain bill passes. I'm already a member of the Satanic Temple. I guess I'll start recruiting others for this fine calling.

In malicious compliance,

Debi Jasen  
Pasadena, MD

**2024-SB0612-UNFAV-UNCONSTITUTIONAL-HB1234.pdf**

Uploaded by: Nelda Fink

Position: UNF

SB0612 / HB1234 – UNFAVORABLE UNCONSTITUTIONAL

Nelda Fink

MD District 32

This bill opens a can of worms.

What is the definition of Chaplain? Interestingly I can't find it in any of the statutes. But the COMAR for the correction system has a Chaplaincy and somewhat defines it. COMAR-12-03-02-02

<https://www.law.cornell.edu/regulations/maryland/COMAR-12-03-02-02>

A job description gives a better description of it:

<https://www.jobapscloud.com/MD/specs/classspecdisplay.asp?ClassNumber=005188&LinkSpec=RecruitNum2&R1=&R3=>

**I am a devout Christian.** While I would love to see more Christianity taught in public institutions, Constitutionally we must allow for other religions as well. And while many constitutionalists proclaim the Federal Constitution's first amendment was intended to be Christian religion, it does not specifically state that. And it has been argued in SCOTUS to be applied to other religions.

So, just like our Correctional systems allow for all faiths to be represented to be Constitutional this bill should as well.

I know the Legislators sponsoring this bill are all Christians, so I ask this question – would you allow for a satanic deity to be considered a chaplain for the purposes sought in this bill? I'm guessing the answer is no.

So while I would love to see this bill passed, it would be violating the Constitution making Christianity the State's religion.

So in order to prevent more evil from being presented in the public school system, I must oppose this bill and request your Unfavorable report.

Thank you.

Nelda Fink

**02-22-2024 MD SB 612 (School Chaplains) Final.pdf**

Uploaded by: Nikolas Nartowicz

Position: UNF

February 22, 2024

The Honorable Brian Feldman  
Chair  
Education, Energy, and the  
Environment Committee  
Maryland Senate  
2 West  
Miller Senate Office Building  
Annapolis, Maryland 21401

The Honorable Cheryl Kagan  
Vice Chair  
Education, Energy, and the  
Environment Committee  
Maryland Senate  
2 West  
Miller Senate Office Building  
Annapolis, Maryland 21401

**Re: Oppose SB 612—Chaplains in Public Schools Raise Constitutional Concerns**

Dear Chair Feldman and Vice Chair Kagan:

On behalf of the Maryland members and supporters of Americans United for Separation of Church and State, I write to urge you to oppose SB 612, which would authorize chaplains—clergy members who provide religious and spiritual care—in public schools. You should reject this bill because it will undoubtedly violate the religious freedom of students who have the right to attend school free from religious coercion and to feel welcome in their school regardless of their religious beliefs. Furthermore, students deserve to have qualified counselors.

**This Bill Would Lead to Constitutional Violations**

Both the U.S. and Maryland Constitutions forbid the government from favoring religion over nonreligion.<sup>1</sup> Allowing public schools to have chaplains as volunteers to provide services, however, and favors religion.

Public school chaplains also violate the constitutional prohibition on religious coercion. In 2022, in *Kennedy v. Bremerton School District*, the Supreme Court reaffirmed that public school employees may not coerce students to pray or engage in religious

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<sup>1</sup> *Everson v. Board of Education*, 330 U.S. 1, 8-13, 15-16 (1947); *Engel v. Vitale*, 370 U.S. 421, 425-31 (1962); *Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203, 214, 226 (1963); *McCreary County v. ACLU of Kentucky*, 545 U.S. 844, 875–81 (2005). Indeed, this is the historic, foundational principle at the heart of the Establishment Clause. Md. Const. Declaration of Rights, art. 36.



activities with them.<sup>2</sup> If public schools allow chaplains, they will inevitably violate the constitutional rights of students.

School employees have extraordinary control over students and their school experience. Students who are assigned to a chaplain instead of a qualified counselor will be aware of the chaplain's religious beliefs and their inclination to provide spiritual guidance. This may pressure students who need support services to assent to religious advice and agree to participate in religious activities in order to get the services they need. And some students may forgo seeking guidance altogether if they know that the chaplain's religious views conflict with their own or their need for help will be met with judgment and disapproval.

Some may argue that public school chaplains are permissible because the courts have upheld the constitutionality of government chaplains in a handful of other settings, such as the military, hospitals, or prisons. But these are places where those to whom the chaplains minister would otherwise be denied access to clergy. Public school students do not fit into this category. If students or their families want religious guidance, they can readily consult their pastor, their priest, their rabbi, or their imam. Furthermore, it ignores the fact that there are "heightened concerns" with protecting students from the "subtle coercive pressure in the elementary and secondary public schools" that comes from school-endorsed religious activities.<sup>3</sup>

### **Students Deserve Qualified Counselors**

School counselors are certified educators who improve success for all students by implementing a comprehensive counseling program. They help students apply academic achievement strategies, manage emotions, and plan for college or the workforce. Chaplains, in contrast, are religious leaders who are trained to provide religious services and spiritual care.

Allowing uncertified chaplains to provide services threatens the safety and education of our students. Chaplains are not given the professional training required to care for the mental health of all students. This means they would not be equipped to support students dealing with serious matters like anxiety, depression, eating disorders, self-harm, or suicidal ideation.

Chaplains themselves understand that they are not qualified to serve in schools. After a bill allowing chaplains in public schools was enacted in Texas last year, more than 100 chaplains signed a letter opposing the proposal that chaplains serve in public schools.<sup>4</sup> The signers explain that allowing chaplains to serve in public schools would be "harmful

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<sup>2</sup> 142 S. Ct. 2407, 2429-31 (2022). Justice Gorsuch explained that the government coercing someone to engage in a religious exercise "was among the foremost hallmarks of religious establishments the framers sought to prohibit when they adopted the First Amendment." *Id.* at 2429.

<sup>3</sup> *Lee v. Weisman*, 505 U.S. 577, 592 (1992).

<sup>4</sup> [Letter from Texas Chaplains to All Texas School Board Members](#).

to our public schools and the students and families they serve.”<sup>5</sup> Many Texas school boards, which are required under the law to vote on whether to adopt a policy, have rejected the idea outright.<sup>6</sup>

### **Public Schools Are Diverse, and All Students Should Be Welcome**

Families and students in Maryland practice a wide variety of religions and faiths, and many are nonreligious. All of them should all feel welcome in their school. Hiring a school chaplain from a specific religion, however, promotes a specific religious perspective and necessarily excludes members of the community whose religious views do not align with the majority. Freedom of religion means that parents—not school officials or state legislatures—have the right to direct their children’s religious education and should be able to entrust that their children will not have a particular religious perspective forced on them while attending our public schools.

### **Conclusion**

This bill will inevitably result in chaplains coercing students to participate in religious activities in violation of the student’s fundamental religious freedom rights. As a result, passage of this bill would likely result in litigation. Public school students deserve to have qualified counselors and to feel welcome in their school. Accordingly, I urge you to reject SB 612.

Thank you for your consideration on this important matter.

Sincerely,



Nikolas Nartowicz  
State Policy Counsel

cc: Members of the Senate Education, Energy, and the Environment Committee

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<sup>5</sup> *Id.*

<sup>6</sup> Jack Jenkins, [Texas’ Debate Over School Chaplains Escalates School Board Culture Wars](#), *Texas Tribune*, Dec. 15, 2023.

# **SB612 - Oppose.pdf**

Uploaded by: Riya Gupta

Position: UNF



**Testimony in OPPOSITION of  
Senate Bill 612: County Boards of Education – Volunteer Aides – School Chaplain**

**Education, Energy, and the Environment Committee**

**Position: Unfavorable**

February 23, 2024

Strong Schools Maryland is a network of education advocates dedicated to ensuring the full funding and faithful implementation of the Blueprint for Maryland’s Future, – we advocate, build power, and share resources with invested Maryland residents to co-create strong public schools. **Strong Schools Maryland stands in opposition to Senate Bill 612**, which authorizes each county board of education to use chaplains as volunteer aides in schools to provide support services to students.

With the passage of the Blueprint, Maryland committed to hiring diverse and highly qualified teachers and administrators recognizing that the state is growing increasingly diverse, not only in terms of race, but also in other aspects, such as religion and spiritual beliefs. Allowing chaplains as volunteer aides would not serve our diverse student population, and could potentially cause harm to certain student groups. Simply put, this bill violates the fundamental tenet of separation of church and state.

Senate Bill 612:

- Fails to recognize the growing population of students of diverse faiths, particularly religious minorities. The proposed legislation offers no guidance about what a chaplain could or could not say to a student, specifically about religion – there is no requirement in this law that the chaplains refrain from proselytizing while at schools or that they serve students from different religious background; and
- Asserts government authority over the spiritual development and formation of our public school children. Spiritual and religious care must be provided with consent. With students, parental consent is necessary. Chaplains serving in public schools are likely to bring about conflict with the religious beliefs of parents.

Chaplains often are strong pillars of Maryland communities and students will continue to have access to the services and resources they provide, outside of school.

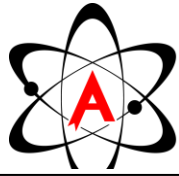
**For these reasons, we respectfully urge an unfavorable report on Senate Bill 612.**

*For more information, contact Riya Gupta at [riya@strongschoolsmaryland.org](mailto:riya@strongschoolsmaryland.org)*

# **MD SB612 - OPPOSE - American Atheists Testimony -**

Uploaded by: Rob Hofmann

Position: UNF



# AMERICAN ATHEISTS

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February 22, 2024

The Honorable Sen. Brian Feldman  
Chair, Senate Education, Energy and the Environment Committee  
Maryland State House  
100 State Cir.  
Annapolis, Maryland 21401

**Re: OPPOSE SB 612, Testimony from American Atheists in opposition to replacing school counselors with chaplains**

Dear Chairman Feldman and Members of the Senate Education, Energy and the Environment Committee:

American Atheists, on behalf of its over 1200 constituents in Maryland, writes in opposition to SB 612. SB 612 would allow public schools to allow for chaplains in roles typically given to school counselors and to perform the duties of school counselors with seemingly zero certification or background requirements. This bill undermines the religious equality of all Maryland residents. 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 atheism and atheists are accepted as members of our nation’s communities and where casual 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.

SB 612 would allow for chaplains to serve in support roles for students in public schools, seemingly in place of or alongside actually qualified school counselors. We recognize that Maryland likely has a shortage of school counselors. However, allowing chaplains in the place of school counselors, even if it seems like it will assist a school, is an improper and inadequate alternative. Chaplains are generally tasked with providing spiritual support for religious people and communities. For every student that might value such a service, another may object to being subjected to religious beliefs with which they disagree instead of receiving the counseling care they need. This is the very reason we have the separation of church and state enshrined by the First Amendment to the U.S. Constitution, because when it comes to religion one, size does not fit all.

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. Becoming a school counselor takes significant training. At a 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 continuing education requirements and uphold ethical and professional standards. SB 612 would allow chaplains to serve in place of school counselors despite their lack of qualifications and immunity from professional standards. This undermines the efforts and extensive training of counselors to aid in student success in and out of school, and it will result in unconstitutional proselytization and religious coercion.

A chaplain's commitment to religion does not equate to being able to successfully counsel all students for academic and personal success. Each and every student has distinct needs, backgrounds, and experiences that, as data shows, 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. Furthermore, 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. Finally, school counselors can effectively assist underachieving students by examining school-wide data and use the data to host an effective group intervention. Instead of seeking to give chaplains volunteer roles in public schools, the Maryland 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 success.

Finally, this bill is even more concerning in that there are no guardrails or safeguards as to what conduct is permitted or not permitted. Chaplains could use their time with students to proselytize and further their religious agenda. This is unconstitutional, and it most impacts nonreligious or atheist students as well as religious minority students. The legislation disregards the beliefs of thousands, directly harming their ability to get an education and succeed academically, to prioritize the religious beliefs of others.

If passed, SB 612 would not only undermine the ongoing efforts and efficacy of school counselors, but also leave students vulnerable to religious coercion. Growing up is challenging enough, and schools must be a space of safe expression and support for all students, not just students with particular favored religious beliefs. Lawmakers supporting this bill should ask themselves, what if their child attended a school district where the only source of support was not a qualified school counselor but a chaplain of a different faith to which they object.

Maryland's public schools must be supportive of all students, and lawmakers should not impose their religious beliefs on students. **We strongly urge you to reject this unnecessary and unconstitutional bill.** If you should have any questions regarding American Atheists' opposition to SB '612, please email me at [rhofmann@atheists.org](mailto:rhofmann@atheists.org).

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob Hofmann', with a stylized flourish at the end.

Rob Hofmann  
State Policy Manager  
American Atheists