



AMERICAN ATHEISTS

February 26, 2024

The Honorable Rep. Vanessa Atterbeary
Chair, Maryland House Ways and Means Committee
Maryland State House
100 State Cir.
Annapolis, Maryland 21401

Re: OPPOSE HB 1234, Testimony from American Atheists in opposition to replacing school counselors with chaplains

Dear Chairwoman Atterbeary and Members of the House Ways and Means Committee,

American Atheists, on behalf of its over 1200 constituents in Maryland, writes in opposition to HB 1234. HB 1234 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.

HB 1234 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 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.¹ 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. HB 1234 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.² 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.³ Finally, school counselors can effectively assist underachieving students by examining school-wide data and use the data to host an effective group intervention.⁴ 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, HB 1234 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

¹ American School Counselor Association. *The role of the school counselor*. Available at: <https://www.schoolcounselor.org/getmedia/ee8b2e1b-d021-4575-982c-c84402cb2cd2/Role-Statement.pdf>.

² Carey, J., & Dimmitt, C. (2012). School counseling and student outcomes: Summary of six statewide studies. *Professional School Counseling, 16* (2), 146-153. doi: 10.1177/2156759X0001600204

³ Lapan, R. T., Gysbers, N. C., Stanley, B., & Pierce, M. E. (2012). Missouri Professional School Counselors: Ratios Matter, Especially in High-Poverty Schools. *Professional School Counseling, 16*(2). <https://doi.org/10.1177/2156759X0001600207>.

⁴ Berger, C. (2013). Bringing out the Brilliance: A counseling intervention for underachieving students. *Professional School Counseling, 17* (1), 86-96. doi: 10.1177/2156759X000170012; Bruce, A. M., Getch, Y. Q., & Ziomek-Daigle, J. (2009). Closing the gap: A group counseling approach to improve test performance of African-American students. *Professional School Counseling, 12* (6), 450-457. doi: 10.1177/2156759X0901200603

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 HB 1234, please email me at rhofmann@atheists.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Hofmann". The signature is written in a cursive, slightly slanted style.

Rob Hofmann
State Policy Manager
American Atheists

CC: All Members of the Maryland House Ways and Means Committee