



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: SB 323		DATE: 5/3/2021	
COMMITTEE: Elementary and Secondary Education			
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: ALISON GILL		PHONE NUMBER: 908-276-7300	
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April 30, 2021The Honorable Representative Chuck BasyeChair, House Committee on Elementary and Secondary Education 201 West Capitol AvenueRoom 401-AJefferson City Missouri 65101Re: **OPPOSE SB 323, Concerning Bible Classes in Public Schools**

Dear Chairperson Basye and Members of the Committee on Elementary and Secondary Education:American Atheists, on behalf of its more than 1,000 constituents in Missouri, writes in opposition to SB 323, a bill which allows public schools to offer elective courses on the Hebrew Scripture and the New Testament. This legislation is wasteful of public education resources, it puts schools at risk for liability, and it may result in religious coercion against Missouri students. Therefore, we strongly urge you to reject this harmful legislation. 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. As advocates for religious liberty, American Atheists believes that no young person should be subject to religious coercion by the government.While high school courses focusing on the historical or literary aspects of the Bible are not intrinsically unconstitutional, they are certainly wasteful of scarce educational resources and, moreover, put schools in dangerous legal territory. The Constitution places strict requirements on such courses, and schools are frequently unable or unwilling to meet those requirements. These courses too often serve merely as a veneer to engage in proselytization in public schools. The Bible has had a significance impact on Western literature, art, and history, so teaching about it can serve a constitutional purpose. In fact, teachers in Missouri may already use it for this purpose. However, courts have clarified that the First Amendment requires that any course teaching about the Bible:Must be taught in a nondevotional manner, with no attempt made to indoctrinate students as to either the truth or falsity of biblical materials;Must not include the teaching of religious doctrine or sectarian interpretation of the Bible;Must not teach the Bible as a true and literal historic record; andShould expose students to critical perspectives on the Bible and a diversity of biblical interpretations.In 2017, the state of Kentucky passed HB 128, which mandated elective Bible classes in Kentucky schools. The ACLU conducted a case study on the implementation of these elective courses and determined that the majority of courses did not meet the constitutional requirements of being "objective, nondevotional, and... not promot[ing] any specific religious view." The ACLU concluded that the courses were being used to impose religious "life lessons and actively inculcate Christianity." Further, a case study on

Bible class curriculum in the state of Texas, conducted by Dr. Mark Chancey of Southern Methodist University, found numerous violations of the constitutional requirements clarified by *Roberts v. Madigan*. This in-depth report concluded that: Most Bible courses in Texas have teachers with no academic training in biblical, religious, or theological studies, and some were even taught by local clergy. Most Bible courses are taught as religious and devotional classes that promote one faith perspective over all others. Most Bible courses advocate an ideological agenda that is hostile to religious freedom, science, and public education itself. Similarly, a 2000 study by People for the American Way (PFAW) demonstrates that “Bible History” courses taught in Florida from 1996–1999 were usually “taught from a Christian, generally Fundamentalist Protestant, perspective, and typically, the courses presented the Bible as a history textbook, assumed that students were Christian, and used the Bible to promote Christian faith formation.” PFAW’s study resulted in the state of Florida removing the existing courses. SB 323 states a course offered “shall not endorse, favor, or promote, or disfavor or show hostility toward, any particular religion or nonreligious faith or religious perspective,” and proponents assert that would protect religious freedom in Missouri schools. However, they ignore the fact that the bill is inherently antagonistic toward the religious freedom of anyone who is not Christian. This bill shows clear favoritism for Christian students and beliefs because it makes no mention of offering courses about minority religions, nor courses on secular philosophy. Currently, about 24% of adults are religiously unaffiliated, and atheists and agnostics make up about 7% of the total population. In Missouri, 20% of the population has no religious affiliation. Studies show that approximately 13% of youth ages 13-18 identify as atheists and more than a third are nonreligious. Another 6% of Americans follow various non-Christian faiths. A recent survey of nearly 34,000 nonreligious people conducted by American Atheists found that nearly one third (29.4%) of participants had experienced negative events and discrimination in education because of their nonreligious identity. Missouri lawmakers should not further marginalize these nonreligious and religious minority populations by purposefully encouraging unconstitutional and exclusionary religious expression and activities in schools. These Bible classes would be especially harmful for religious minorities and atheists residing in communities that are heavily dominated by one religion, likely fostering bullying and harassment against these students because of their dissenting religious views. American Atheists’ research found that nonreligious participants living in “very religious” communities were 2.5 times more likely to experience negative events in education than those living in “not at all” religious communities (42.4% vs. 17.5%). In Missouri, 39.5% of participants reported that their communities were “very religious.” If SB 323 is passed, Missouri schools that offer these electives in Hebrew Scriptures and the New Testament will face scrutiny in the implementation of the Bible course curriculum. The current legislation does not provide any effective safeguards to protect the First Amendment rights of students subject to religious coercion. Nor does the legislation provide mechanisms to ensure that schools will meet constitutionally required standards. These factors put school districts that offer Bible classes under this legislation at substantial risk for liability. Taxpayer dollars should fund public education, not be wasted on efforts to indoctrinate students, nor to defend such unconstitutional indoctrination in court. SB 323 would needlessly waste education resources, put school districts at risk, and leave students in Missouri unprotected from religious coercion. We strongly urge you to vote against this unnecessary and controversial bill. If you should have any questions regarding American Atheists’ opposition to SB 323, please contact me at 908.276.7300 x309 or by email at agill@atheists.org. Very truly yours, Alison Gill, Esq. Vice President, Legal & Policy American Atheists



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCAT		PHONE NUMBER:	
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I am highly opposed to this Bill and Legislation. I wholly believe in our National Constitution and Our Constitution of the Great of Missouri that Protects all Missouri Residents. Did the Elected Officials forget the Oath of Office that you swore to uphold? This is bad government practice. Keep Religion out of the Public School System. Religion is to be taught in the Home and by the Parents of the Students. Please for the benefit of all Six (6) Million Missourians, defeat this Legislation. Let's Keep the Government Out-Of-Our-Lives and telling us what what Religion, Philosophy and what Bible to believe-in. Would some one in State Government understand and truly know the State Constitution?



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WITNESS NAME			
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WITNESS NAME: BRIAN KAYLOR		PHONE NUMBER:	
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My name is Brian Kaylor. I am the editor-in-chief of Word&Way, a Christian magazine publishing in Missouri since 1896, and the associate director of Churchnet, a statewide Baptist network of churches. I oppose Senate Bill 323 not because I do not care about the Bible but precisely because I, as a Baptist minister, view Bible as sacred. I cherish the strong Baptist heritage of standing for religious liberty for all, which includes a healthy separation of church and state. What troubles me about this bill is not only is it not needed to bring the Bible into a classroom to teach the historical or literary impact, but frankly what this bill pushes for cannot truly be implemented without violating the First Amendment. Let me give you three quick examples. First, singling out the Bible as the sole religious text worthy of study is the state already picking winners and losers when it comes to religion and faith. By encouraging the teaching of this text and not others, you are playing religious favorites. Second, which Bible do you mean? Do you mean the 66 books used by most Protestants or the 73 books used by the Roman Catholic Church or the 80 books used by the Orthodox Church of America or the 81 books used by the Ethiopian Orthodox Church? If you pick one list, the state will be choosing winners and losers when it comes to religion and faith. But if you teach them all as books of the Bible, you will be similarly undermining the faith teachings of parents and churches that pick a particular list for profoundly important reasons. And while the text of the bill says students can choose whatever translation they want, the more important establishment question still comes as to which translation the teacher and textbook uses. Third, the supernatural parts of the Bible particularly create constitutional problems. One can probably teach the wisdom literature fairly easily within constitutional parameters, but what about the miracles of Jesus and the various prophets? If they are taught as supernatural acts, that would be sectarian. But equally problematic would be to undermine the historicity of those acts. Either way would be the state picking winners and losers when it comes to religion and faith. And that gets to the key issue. The Bible cannot be reduced to simply an elective social science class. Yes, the Bible impacted literature, politics, society, and much more. But the Bible at its core is not merely influential literature. The Bible is the foundational text of my faith. It teaches me about God; it teaches me how to worship God and follow God's commands. And that is its whole purpose. The Bible is inherently religious and we cannot pretend otherwise. To strip away the sacredness of the text is not to treat it as good literature but to profane it. I do not need the state teaching my son how to read the Bible. And, frankly, I don't trust the state to teach my son the Bible. I will do that. Our church will do that. If you teach the Bible the way I see it, that would be unconstitutional because it would be very sectarian. But if you teach it in ways that undermine what I and our church are teaching, that would also be the state picking winners and losers when it comes to religion and faith. Don't get me wrong. I wish we had more biblical literacy in our society. But teaching the Bible is not the job of the state; it is the job of families and churches. So, I respectfully urge a vote against this Senate Bill 323.



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WITNESS NAME			
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WITNESS NAME: CYNTHIA HOLMES		PHONE NUMBER:	
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SB323Testimony of Cynthia Holmes in opposition to the BillAs a Baptist Christian and Attorney I am opposed to this bill. In spite of its language requiring Bible teaching to be done in a Constitutional manner, I do not believe that is possible or that it is bills intent. The pathway this bill has taken shows rather an attempt to teach Christianity to impressionable children.As other holy books were rejected, it is clear that the Bible is a special holy text, superior to others. Attempts to teach about the bible without endorsing its tenants would enmesh school boards and teachers in an insurmountable effort to develop such curriculum. Readily available curriculums, such as one promoted by the Green family of Hobby Lobby fame are clearly designed to proselytize and not give an impartial view of the bible as literature or history. It is difficult to imagine a teacher who believes that the Bible sets out the word of God being able to teach about the Bible without that belief coming through. Believers are likely to be the ones volunteering to teach a bible class.The elective nature of such courses notwithstanding, there will be pressure on students. If the coach has volunteered to teach it, a student would feel pressure to take the course if he wants to be on the team. It's a proof-of-the-pudding-is-in-the-eating situation. Wiley v. Franklin, a Tennessee case is the only case of which I'm aware in which a Bible class was held to be okay for K-12 students. The younger the kids are, the harder it is to teach Bible as literature or social studies, even if you're doing it in absolute good faith. I feel that it is impossible for elementary and middle school, and darned near impossible for high school. And then there's the problem of folks not acting in good faith—i.e., implementing Bible classes in K-12 is always about teaching religion and never actually about teaching Bible as literature or social studies. Can anyone who believes the Bible is God's word be neutral?This bill like many that try to promote religion is a full employment for lawyers bill. The Wylie case demonstrates that difficulty. It involved Bible classes that were taught in two different Tn. Districts. The Court initially found that both violated the Constitution. Both districts then tried to redo their curriculum. In order to decide on the second round, the Court had to have monitors sit through the classes over time and report back. One districts class was still ruled unconstitutional and one was ok. The question is why with scarce resources would we want to encourage school boards and teachers to spend massive dollars, and educational time to devise and defend such courses.Although the bill mandates that the bible be taught correctly children and parents should not be in a position of having to engage in expensive litigation to prevent preaching to kids. This bill puts the burden on them. In many communities challenging the course would open up families to ridicule or worse.This bill asks public school teachers to teach the holy book of the bill's sponsors. As a Christian I also believe that the Bible is a holy book and as an American I believe the Constitution guarantees the freedom of everyone to believe or not. As both, I believe the Bible should be taught in homes and houses of worship. To do otherwise violates Jesus' command to treat others as we want to be treated.



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WITNESS NAME			
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WITNESS NAME: ED WRIGHT		PHONE NUMBER:	
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Dear Senator May; I am a constituent and past supporter of yours in many ways. However, I am moved to communicate with you regarding SB 323 allowing school districts to offer elective courses in Bible study. My opposition to this bill and my comments are from the perspective of an educator who taught middle school and high school social studies for 20 years in public schools. As part of my world history curriculum, I taught a unit on "World Religions". We studied religions from throughout history and the students were exposed to the history, literature, art, and basic tenets of several belief systems. My classroom displays included copies of the Bible, Koran, prayer beads, menorah, Buddha statue, etc. In other words, students and I were exposed to a variety of belief systems without emphasis on or endorsement of any particular system. It worked well. Your bill places undue emphasis and favor on Christian-Judaic beliefs and violates the spirit of America's long-established prohibition outlined in the First Amendment on "establishment of religion". If you are familiar with high school cultures as I am, you will agree that the social pressures on our students are tremendous and your bill will provide one more opportunity for students to feel the pressure by Christian students and staff to "go along with" the movement to "educate" students about Christianity. Making the class an "elective" does not remove this pressure or "bullying". Think about typical high school social circle, whether in downtown St. Louis, suburban Brentwood, or rural Hayti Heights. We are not a "Christian nation". We are a nation of Christians...and Jews and Muslims and Hindus and Buddhists and atheists and agnostics and Sikhs and humanists. To offer this class as part of a public school curriculum starts us down the slippery slope of "religious establishment", a slope that Christian nationalists are all too willing to nudge us down. Please devote your efforts to education matters that will serve ALL students rather than succumbing to the pressure to erase the American doctrine of church-state separation. I appreciate your reading this and hope you will take action accordingly. Ed Wright Retired Educator



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: MO DEL VILLAR		PHONE NUMBER: 816-929-6166	
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WITNESS NAME			
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WITNESS NAME: SCOTT MCKELLAR		PHONE NUMBER: 636-225-1826	
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HB 267 is obviously an attempt to promote Christianity in Missouri schoolrooms, under color of law. Under no circumstances is it acceptable; it's just Christian Supremacy in action. Alternatively: even if this inherently religious text were to be taught from a religiously neutral point of view -- unlikely as that is -- it would denigrate the sincerely held religious beliefs of many Christians in Missouri, who regard the Bible not as a human document to be studied as a human document, but as the unalterable and infallible Word of God. I shall submit written testimony on paper. I shall also email that written testimony to members of the committee, because it includes hyperlinks that are not usable from paper.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: SUSAN GIBSON		PHONE NUMBER:	
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Please oppose this violation of the separation of church and state.			



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WITNESS NAME			
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WITNESS NAME: W. B. (BART) TICHENOR		PHONE NUMBER:	
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The following is presented in opposition to the enactment of SB 323. Senate Bill 323 violates fundamental Federal and State Constitutional provisions against favoring religion and discriminating against religion. The federal and state constitutional mandate is clear. The government must not endorse or condemn, favor or disfavor, promote or diminish, show approval or hostility toward religion or nonreligious perspectives. Senate Bill 323 runs afoul of the constitutional dictates on several levels. If SB 323 is enacted Missouri will have codified one religious scripture – Protestant Christianity’s Bible – as the state sanctioned holy writ. In other words, the enactment of this Bill would violate its own provisions (See, Subsections 4 and 5). Senate Bill 323 elevates Protestant Christianity and the Protestant Bible above other faiths and their sacred texts. From both the Title and Text of the Bill it is clear the “Bible” referenced is the Protestant Bible. This is not just an implicit bias against the sacred texts of all the world’s major religions, but against any religious, or even nonreligious text which may be followed by any group of individuals in the conduct of their daily lives. The bias of this legislation is explicit. The endorsed, favored, promoted, and approved scripture of the state of Missouri is the Protestant Bible. The condemned, disfavored, disapproved, and diminished scriptures are all those other than the “Holy Bible” of Protestant Christianity. Senate Bill 323 erroneously assumes the Bible can be taught as a matter of social studies and not address religious issues and faith. The idea the Bible can be taught in some fashion as social studies without addressing religious issues and religious faith is at the very least naïve. It is more seriously a misguided and misinformed, product of religious ignorance. At its most disturbing, the idea is an intentional attempt to use the government – public education – to advance the Christian Faith. Senate Bill 323 demonstrates an explicit bias, in its use of the term Old Testament, against Judaism. The repeated use of the term “Hebrew Scripture” and “Old Testament” instead of the proper name for the Jewish Bible – the Tanakh – demonstrates at the best an implied bias against Judaism and at the worst an explicit bias against that world religion. The language of the Bill relegates the Jewish Scriptures to some level below the scriptures of Christianity. Senate Bill 323 specifically violates Mo Const. Art 1, § 7 by giving preference to the Protestant Bible and discriminating against all other religious faiths and their sacred texts. Such an enactment would totally fail to meet the letter and spirit of “no preference shall be given to nor any discrimination made against any church, sect or creed of religion, or any form of religious faith or worship.” Mo Const. Art 1, § 7. A preference is given to the Protestant Christian Bible and religious faith. Discrimination is exercised against all non-Protestant Christian faiths and their scriptures. Senate Bill 323 demeans Christianity by reducing its holy scriptures to a social studies textbook. On the other hand, SB 323 is demeaning to the Christian faith in that the Christian Scriptures are reduced to nothing more than a social studies textbook. The sacred text for most of the citizens of Missouri is diminished to simply a text to study literature, art, or music. Sacred scriptures which for centuries have been viewed as a revelation of the God of the universe in the

Christian Faith is minimized to a supplement to study oratory or public policy. This degrades Christianity. The faith is founded upon its scriptures. Minimizing that faith to a matter of social studies discredits and belittles it. Senate Bill 323 solves no problem which exists in the curriculum for public education in Missouri. SB 323 solves no problem in education. It is safe to say there is no area of Missouri that does not have local Christian congregations where one can become educated in the Bible. In addition, there are tens of millions of websites where Bible study can be done. There are numerous books from a multitude of scholarly perspectives which can easily be purchased that permit any individual to study the Bible and its impact on western civilization. Simply stated, any high school student, who wishes to expand their knowledge of the Bible, has a multitude of options to pursue such a course of study. Conclusion: For all the foregoing reasons, I hope you will vote to maintain religious liberty and not permit the public schools of Missouri to be used as a tool to advance one faith over all others, by voting "NO" on SB 323.