

School Readiness General Policy

GP-09-01

(replaces SR-02-02)

- Priority School Readiness Districts
 Competitive School Readiness Municipalities

TO: Mayors, Superintendents, School Readiness Council Chairs/Co-Chairs and Liaisons

FROM: Harriet Feldlaufer, Chief
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SUBJECT: Nonsectarian Policy for School Readiness Programs

Under Connecticut General Statutes (C.G.S.) Section 10-16p (a) (1), a School Readiness program must be a “nonsectarian program” which is defined in section 10-16p (f) as “any public or private School Readiness program that is not violative of the Establishment Clause of the Constitution of the State of Connecticut or the Establishment Clause of the Constitution of the United States of America.” The purpose of this GENERAL POLICY is to provide guidance to School Readiness Councils (SRCs), School Readiness Liaisons and School Readiness programs on the characteristics of a nonsectarian program. This guidance was developed by The Office of Legal and Governmental Affairs and has been reviewed by the Attorney General’s Office of Connecticut.

SRCs in each community use state funds to purchase spaces from eligible providers. These providers may include faith-based organizations but the program spaces that are purchased by state funds must be nonsectarian. A recent Supreme Court decision (Agostini v. Felton 117 S. Ct. 1997) ruled that providing services at religious sites was constitutional under the safeguards existing within the program.

Based on the Agostini case and the advice issued by the U. S. Department of Education based on the case, it is important for SRCs, Liaisons, and programs to be guided by the following rules concerning “nonsectarian” programs when awarding School Readiness grants to secular programs.

1. The program must be open to all children, and cannot exclude a child based on the family’s religious creed or lack thereof;
2. The program cannot attempt to persuade or convert children or their families to a religion or a particular religious persuasion;
3. The program will not implement religious observances, such as prayer, grace, confession, church attendance, religious instruction, etc.;
4. The program must accommodate the practice of a child or staff member’s personal religious beliefs where the practice is required during program hours (e.g., Islamic designated time for prayers);

5. The program may not require children or their families enrolled in the School Readiness program to participate in faith-based or church sponsored activities or services;
6. Programs may not discriminate in hiring based on religious affiliation or lack of religious affiliation; and
7. Unless it is not practicable, classes should be conducted in rooms that are free of religious symbols and items.

If state funds are being used to purchase spaces for eligible children in a School Readiness program operated by faith-based organizations, these programs must be nonsectarian (non-religious) in order not to run afoul of requirements of the Establishment Clause. It is not enough to allow students or their families to “opt out” of portions of the program which are religious in nature. To be eligible for funding, programs must comply with these requirements.

It is the responsibility of the SRCs and the Liaisons to share this information with their sub-grantees and ensure that each program is in compliance with the nonsectarian guidelines in order for sub-grantees to receive funding as a School Readiness program.

Questions concerning this GENERAL POLICY should be directed to:

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