



STATE OF CONNECTICUT

OFFICE OF EARLY CHILDHOOD



Connecticut Administered State-Funded Program General Policy A-09

Nonsectarian Policy

- X OEC Early Start CT Programs
 - X OEC Smart Start CT Programs
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This policy provides guidance to Early Start CT (ESCT) programs, Smart Start programs, Local Governance Partners (LGPs) staff and Public Schools on what constitutes a “nonsectarian program”. This guidance was reviewed by the Office of Early Childhood’s (OEC) Legal Division and the Connecticut Attorney General’s Office.

POLICY

Under Connecticut General Statutes (C.G.S.) Section 10-16p (a) (1), an ESCT or Smart Start-funded program must be a “nonsectarian program”, 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”.

Providers may include faith-based organizations, but program spaces awarded and paid for with state funds **must** be nonsectarian. A U. S. Supreme Court decision (*Agostini v. Felton*, 521 U.S. 2031997) ruled that providing services at religious sites is constitutional if certain safeguards exist within the program.

Based on *Agostini* and advice issued by the U. S. Department of Education , it is important that LGPs, staff, and ESCT and Smart Start programs follow these guidelines:

- programs shall be open to all children, no child shall be excluded based on the family’s religious creed or lack thereof;
- programs shall not attempt to persuade or convert children or their families to a religion or a particular religious persuasion;
- programs shall not implement religious observances, such as prayer, grace, confession, church attendance, religious instruction, etc.;
- programs shall accommodate the practice of a child’s or a staff member’s personal religious beliefs if the practice is required during program hours (e.g., time designated for Islamic prayers);



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- programs shall not require children enrolled in the program or their families to participate in faith-based or church-sponsored activities or services;
- Unless it is not feasible, classes should be conducted in rooms that are free of religious symbols and items. If state funds are used by programs operated by faith-based organizations to purchase spaces for eligible children, these programs must be nonsectarian (as defined in Conn. Gen. Stat. sec. 10-16 p (f)) in order to satisfy the requirements of the Establishment Clause of the First Amendment. 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 shall comply with these requirements.
- It is the responsibility of the LGPs staff and School Districts to share this information and to ensure that each program complies with the nonsectarian guidelines in order to receive state funding.

In the unlikely event that any provision of this General Policy is found to be inconsistent with any contract or grant provision, the contract or grant shall govern.

For further information concerning this GENERAL POLICY please contact your OEC Program Manager or visit <https://www.ctoec.org/contact-us/>