

Faith-based Organizations

- ✓ **Do not discriminate for or against a private organization because of the organization's religious character or affiliation:** A faith-based organization is eligible to contract with grantees on the same basis as any other eligible private organization. In selecting goods and services providers, grantees cannot discriminate for or against a private organization because of that organization's religious character or affiliation.
[\[34 CFR § 80.36\(j\)\(1\)\]](#)

- ✓ **When contracting with faith-based organizations, observe required limitations on use of federal funds:** Generally, a faith-based organization that contracts with a grantee may not use the funds to pay for religious worship, instruction, or proselytization or equipment or supplies to be used for these activities. The only exception to this requirement permits such use of funds if the faith-based organization is selected as a result of the genuine and independent private choices of individual beneficiaries of the program and provided the organization otherwise satisfies program requirements.
[\[34 CFR § 80.36\(j\)\(2\)\]](#)

- ✓ **Ensure separation of religious activities from grant-funded activities:** A private organization that engages in inherently religious activities, (e.g., religious worship, instruction, or proselytization), must offer those services at a separate time or location from any programs or services supported by a contract with the grantee. Participation in any inherently religious activities by the beneficiaries of the program supported by the contract must be voluntary, unless the faith-based organization is selected as a result of the genuine and independent private choices of individual beneficiaries of the program and provided the organization otherwise satisfies program requirements.
[\[34 CFR § 80.36\(j\)\(3\)\]](#)

- ✓ **Allow contracted faith-based organizations to retain their autonomy:** A faith-based organization that contracts with a grantee may retain its independence, autonomy, right of expression, religious character, and authority over its governance.
A faith-based organization may, among other things:
 - Retain religious terms in its name;
 - Continue to carry out its mission, including the definition, development, practice, and expression of its religious beliefs;
 - Use its facilities to provide services without removing or altering religious art, icons, scriptures, or other symbols from these facilities;
 - Select its board members and otherwise govern itself on a religious basis; and
 - Include religious references in its mission statement and other chartering or governing documents.[\[34 CFR § 80.36\(j\)\(4\)\]](#)

- ✓ **Ensure regulations related to religious discrimination are observed**
 - A private organization that contracts with a grantee cannot discriminate against a beneficiary or prospective beneficiary in the provision of program services on the basis of religion or religious belief.
[\[34 CFR § 80.36\(j\)\(5\)\]](#)
 - When a faith-based organization contracts with a grantee, the organization is still exempt from the federal prohibition on employment discrimination on the basis of religion, in section [702\(a\) of the Civil Rights Act of 1964 \[42 U.S.C. 2000e-1\]](#).
[\[34 CFR § 80.36\(j\)\(6\)\]](#)