



National Healthy Marriage Resource Center

June 2007 Webinar

“Staying within the Boundaries: Understanding the Federal Faith Based Guidelines”

Frequently Asked Questions (FAQ)

The National Healthy Marriage Resource Center broadcasted a webinar entitled “Staying within the Boundaries: Understanding the Federal Faith Based Guidelines,” on June 20, 2007. During the course of the webinar, we received more questions than we were able to answer. This Frequently Asked Questions (FAQ) document is a follow-up to many of the questions posted during the webinar. For further information, please see the other documents associated with this webinar: the 45CFR Part 87 handout and the “Safeguards” memo.

1. Can you explain to me how I can conduct faith activities separated by time or space?

For starters, all federal grantees are bound by several rules.

- The rules apply when you are providing services funded by the federal grant whether as a paid employee (either of the grant or a grant partner organization), a volunteer, a mentor or anyone else that interacted with the program during the scheduled grant program activity time;
- You must provide secular services, must not discriminate on the basis of religion and must not do anything inherently religious, like pray, study religious texts, worship, do mission work, give testimony etc.; and
- The secular nature of the services needs to be reflected in your marketing materials, discussions with partner organizations and all advertising. Participants should know that they are getting a secular service and that all religious or non-religious people are welcome.

These rules, however, do not apply to all aspects of your organizations or your staff/volunteers/mentors’ lives. You are still allowed to practice and uphold your religions beliefs, given that you follow the time/space rule. To protect you, your participants and the government, your faith activities must be separated in time *or* space. **Some examples of separating by Time:** at the *end of the class*, say, “Class is over, and if you want, *following a bathroom break*, we can meet again in this room and worship;” you can have a secular mentoring session and then meet the next day to do mission work; you can invite participants to come to your facility *before class starts* to pray and have a faith discussion. The amount of time is not as important as that you actively indicate that “class time” is over

and you are now “outside” of class (i.e. Federally funded time). **Space:** if your facility has several classrooms, you can deliver *secular marriage services in one room while bible study is occurring in another; you can sit at one table to do one-on-one divorce education and go to another table* at the coffee shop to talk about your faith. The point with separating by space is that you AND the participants are able to delineate what is a grant activity and what is not. Notice that it must be separate in either time *or* space, and does not have to be time *and* space. *Think of it this way* – we all wear many hats in our day – sometimes we’re parents, employees, adult children of our parents, spouses or strangers in a crowded bus. Based on the hat we’re wearing and our location (at home vs. work vs. airport vs. friend’s house), we act differently according to the situation. For example, you may wear shorts at home but you would never wear them to court. Following these guidelines is similar. **If you’re wearing the “federal grantee” hat, meaning that you’re getting paid, volunteering or acting as an agent of the program, you need to abide by the regulations.** When you make an active decision to remove that hat (change space/time) you can put on your “faith-centered” hat.

2. Are mentor couples bound to the regulations, and if so, how can we ensure that these private mentoring sessions are compliant?

Yes mentor couples and volunteers need to follow the regulations just as paid staff members must. During the mentoring session they need to provide secular services and not conduct inherently religious activities. After the mentoring session though, the mentor couple and the participant couple are free to do whatever they all voluntarily want – go their separate ways, go to a concert, have dinner, study art or participate in religious activities. Make sure that participants understand that any religious activities occur clearly before or after the federally funded program, i.e. are separated by time or space.

In order to ensure that mentoring sessions are compliant with the regulations, you will need to train your mentor couples, just like your staff. ALL program staff should have copies of the regulations. You should meet with them to explain the importance of following the regulations and the consequences (for the organization and for their involvement with the project) of failing to comply. Use resources such as the safeguard memo, this webinar, and your FPO to help you to develop examples of compliant and noncompliant activities and strategies for bringing the conversation back to the secular marriage education service. Additionally, they need to know that they are able, if all parties are willing, to meet OUTSIDE of the mentoring relationship (i.e. time or space) to pursue any activities they choose. Finally, teach them ways to clearly delineate the start and stop time of grant activities so that they and the participant couples can be clear when they need to follow the regulations. For example, they may want to start a stop watch when the mentoring discussion begins, put a “mentoring session in progress” piece of paper on the table, or set out the curriculum manual to indicate that they are not in casual conversation, but on federally supported marriage education time. The removal of the paper or manual, or the stopping of the clock would indicate that services have concluded.

3. What should we tell our staff, volunteers and mentors about mentioning their faith? What if they’ve been asked by participants a question about their faith?

Staff should know that they cannot, while acting as an agent of or funded by the federal grant, act in an inherently religious manner, i.e. prayer, proselytizing, scripture study. To

protect your project, you should discourage your staff from referring to their faith during grant activities. They are free to discuss their faith with willing participants during another time or at another location. Should staff feel the need to answer questions posed during federal activities about their faith, they may reply with a short and honest response and redirect the conversation to the appropriate topic. If they are asked again, they should tell the participant, if they are indeed comfortable continuing the discussion, that they can talk more after the class has ended.

4. Can we refer participants to other services that are faith-based?

Yes. Once you have separated yourself and the participant from the class in time or space, and IF the participant is interested in faith services, and knows that their participation in that faith service does not affect their participation in the federally funded class, you are free to refer them to whatever faith-based services you feel appropriate. You may also want to have a list of similar, secular services on hand so that your participants are free to make the choice of whether they want faith-based or secular service.

5. We partner with some faith-based organizations to get referrals. If they refer participants to us, does the organization have to ensure that their services follow the faith-based regulations?

No, IF they are only recommending their clients to your service. As long as they are not providing any federally sponsored activities or services, they are free of the regulations. In order to maintain that separation, you will have to ensure that they are not being rewarded by the grant in any way, i.e. payment, in-kind donations or bi-directional referrals, for the referrals they are providing to you.

6. Can we present at a faith conference where religious activities will occur?

Yes - you can present at many different conferences. Whether your presentation can be supported (financially or in name) by your federal grant is more complicated. You can count the time you present on the grant as "grant supported" IF during the presentation, no inherently religious activities (e.g., "I'd like to open with a prayer") occur. The rest of your time at this religious conference, though, needs to be supported through other funds.

7. Can we have a moment of silence before eating during the class, where participants are free to pray, meditate, read a book or look out the window?

Yes. There is nothing inherently religious about a moment of silence, as long as you only refer to it as a moment of silence. If you start suggesting what people can do during that moment of silence and you mention a religious activity, like praying or saying grace, you are much better off providing prayer time in another manner. You could, for example, ask people to fix their plates, and then invite anyone that wants to, to take their plate into the hallway and say grace (separated in space). Then they can return to the classroom with their plate and the whole class can eat together.

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