SCSEP Legal Framework: Is a Proposed Host Agency Position Eligible for a SCSEP Placement in Relation to the Religious Prohibitions?

**QUESTION 1:** Will the participant be engaged in inherently religious activities (such as providing religious instruction, leading worship services or proselytizing)?

- **NO:** Go to Question 2.
- **YES:** The activity is not eligible. Consult your lawyer or your grant coordinator for additional guidance.

**QUESTION 2:** Will the participant be engaged in construction, operation or maintenance? (Operation and maintenance are activities undertaken to keep a building in an efficient operating condition, rather than add to a building’s capital value.)

- **NO:** The activity is eligible (assuming other requirements are met). No further analysis is needed under the religious restrictions.
- **YES:** Go to Question 3.

**QUESTION 3:** Will the participant engage in this construction, operation or maintenance in a facility where religious worship or religious instruction takes place or will take place?

- **NO:** The activity is eligible (assuming other requirements are met). No further analysis is needed under the religious restrictions.
- **YES:** Go to Question 4.

**QUESTION 4:** Is religious instruction or worship part of the inherent nature and purpose of the facility (such as for a church, synagogue or religious school)?

- **YES:** The participant may not be placed in a position involving the construction, operation or maintenance of the facility.
- **NO:** Go to Question 5.

**QUESTION 5:** Is the religious worship or instruction more than an incidental or insignificant activity in the facility?

- **NO:** The activity is eligible (assuming other requirements are met). No further analysis is needed under the religious use restrictions.
- **YES:** Further analysis and review by the grant officer will be necessary to determine if it is considered to be a facility used or to be used as a place for religious instruction or religious worship. Consult your lawyer or grant coordinator for additional guidance.

**OR**