



GEPA and Prayer Assurance

CFSGA Tour 2023



Idaho State Department of Education

DEBBIE CRITCHFIELD, SUPERINTENDENT OF PUBLIC INSTRUCTION

4/26/2023

GEPA- What is it?



- Section 427 of the U.S. Department of Education's General Education Provisions Act (GEPA) requires grantees to describe the steps the grantee will take to ensure equitable access to, and participation in, the Federally-assisted program for students, teachers, and other program recipients.

How does GEPA apply to LEAs?



- Section 427 of GEPA affects applicants for federal grant award under this program. ALL applicants for new awards (annual) must include information in the CFSGA application to address this provision in order to receive funding under this program.
- Local school districts or other eligible applicants that apply to the State for federal funding must provide a GEPA statement in the CFSGA application to the State for funding. The State is responsible for ensuring that the school district or other local entity has submitted a sufficient section 427 GEPA statement.
- The description does not need to be lengthy to satisfy the statement requirements.

GEPA Example



GENERAL EDUCATION PROVISION ACT. SEC. 427

The LEA will ensure that Federally funded activities, programs, and services will be accessible to all teachers, students, and program beneficiaries. The LEA will ensure equal access and participation to all persons regardless of their race, color, ethnicity, religion, national origin, age, citizenship status, disability, gender or sexual orientation in its education programs, services, and/or activities.

The following examples may help illustrate how an applicant may comply with Section 427.

The LEA that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency distributes a brochure about the proposed project to such potential participants in their native language.

The LEA that develops instructional materials for classroom use might describe how it will make the materials available on audio tape or in braille for students who are blind.

The LEA that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it intends to conduct "outreach" efforts to girls, to encourage their enrollment.

The LEA that proposes a project to increase school safety might describe the special efforts it will take to address the concern of lesbian, gay, bisexual, and transgender students, and efforts to reach out to and involve the families of LGBT students

Other Services may include, but not limited to the following: wheelchair access, assistive technology, transportation assistance, responsiveness to cultural differences, etc.)

- GEPA statement shows equal access in federally funded activities.

Examples, continued



- Our district will use the xxx funds to increase safety and enhance the social emotional well-being of our students. Our district will focus on non-discrimination awareness programs for all sub-groups including gender, race, ethnicity, gender orientation and socio-economic status, through outreach to families and community members. Additionally, our district will initiate professional development in this area for all staff.

Examples, continued



- Our district will use xxx grant funds to purchase computers and laptops as part of our school-wide technology upgrade. Due to a large number of our students in the district being from low socioeconomic families, the district will use grant funds to integrate technology in all classrooms. All students in the district will have equal access to these resources. We will ensure that no student or teacher will be denied participation based on gender, race, national origin, disability or age.

Examples, continued.



- A majority of students in the school district are from low socioeconomic families, with over 50% available for Free/Reduced Lunch Program. As a result, we plan to use xxx grant funds to integrate technology in all classrooms and on teacher professional development. Students who participate in supplemental programs and all other students in the district will have equal access to these resources. In addition, all teachers will have access to professional development, including those who serve at-risk students.

CSFGA Compliance



- Compliance with GEPA is currently assured by submission of the Consolidated Application with a signed assurance and required uploaded document with your LEA GEPA statement in the Submit/Assurances tab.

Submit Assurances Files

Print Preview

Cannot submit due to the below errors

- Please attach a file containing your 427 GEPA Statement on the Files tab

Please upload a document containing your 427 GEPA Statement
Warning! Be sure data on all other tabs has been saved before adding files.

Upload Files

Select File Choose File No file chosen

Upload Note: maximum file size is 100MB





- Annual LEA Process:
 - Review the current GEPA statement and determine changes/updates that need to be made.
 - Identify existing barriers and address such barriers.
 - Document steps taken to resolve barriers.
 - Upload a revised GEPA statement to the CFSGA, if necessary.

Links/References



- <https://www2.ed.gov/fund/grant/apply/appforms/gepa427.pdf>
- <https://apps.sde.idaho.gov/CFSGA/Home/Home>
- <https://www.sde.idaho.gov/topics/consolidated-plan/>
- Presentation adapted from Colorado Department of Education

Contact Information



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Civil Rights School Prayer. SEC. 8524 (b)



Section 8524 (a)



- Section 8524(a) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act and codified at 20 U.S.C. § 7904(a), requires the Secretary of Education to issue guidance to State educational agencies (SEAs), local educational agencies (LEAs), and the public on constitutionally protected prayer in public elementary and secondary schools.

Civil Rights-School Prayer. SEC. 8524 (b)



- **Examples of protected student and staff activities during non-instructional time include, but are not limited to:**
- Pray before, during, and after school when not engaged in school activities or instruction, and say grace before meals; pray or study religious texts with other students during recess, lunch, or non-instructional time to the same extent as they can engage in nonreligious activities
- Organize prayer groups, religious clubs, and “See you at the pole” gatherings before and after school to same extent they are permitted to organize other noncurricular student activities, include the use of school facilities for assembling on the same basis as noncurricular groups
- Students may express beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on religious perspective of the submission

Civil Rights-School Prayer. SEC. 8524 (b)



- **Examples of protected student and staff activities during non-instructional time include, but are not limited to:**
- Bring their religious texts and prayer aids to school
- School employees may take part in religious activities (such as prayer) during the workday at a time when it is permissible to engage in other private conduct such as making a personal call
- School employees may meet with other teachers for prayer or Bible study before school or during lunch to the same extent that they engage in other nonreligious activities or conversation
- School employees may participate in their personal capacities in privately sponsored baccalaureate ceremonies or similar events

Civil Rights-School Prayer. SEC. 8524 (b)



- **LEAs may need to consider the following examples to accommodate religious expression:**
- Public schools may teach about religion
- Schools have the discretion to dismiss students to off premises religious instruction, but may not encourage or discourage participation in such instruction or penalize students for attending or not attending.
- Schools may excuse students from class to remove a significant burden on their religious exercise, including prayer, where doing so would not impose material burdens on other students.

Civil Rights-School Prayer. SEC. 8524 (b)



- LEAs may need to consider the following examples to accommodate religious expression:
- When student speakers are selected on the basis of genuinely content-neutral, evenhanded criteria, and retain primary control over content, that expression is not attributable to the school, may not be restricted because of its religious or anti-religious content, and may include prayer.
- Schools have substantial discretion in adopting policies relating to student dress and uniforms, but may not single out religious attire in general or attire related to a particular religion for prohibition or regulation. If a school makes exceptions to the dress code for nonreligious reasons, it must make exceptions for religious reasons, absent a compelling justification.
- School officials may not restrict or censor prayers that they deem too religious or favor certain prayers because they are nonsectarian
- Any restrictions must be applied to all groups equally

References



- https://www2.ed.gov/policy/gen/guid/religiousandschools/prayer_guidance.html
- <https://www.federalregister.gov/documents/2020/01/21/2020-00876/updated-guidance-on-constitutionally-protected-prayer-and-religious-expression-in-public-elementary>

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