

**04 NCAC 20B .0805      SECTARIAN ACTIVITIES PROHIBITED**

- (a) Participants may not be placed in prohibited sectarian activities.
- (b) Sectarian activities prohibited under JTPA are:
  - (1) Any activity involved in the construction, including remodeling, of a facility that is used or is intended to be used as a place of sectarian instruction or as a place of religious worship, except as such activities may be a minimal or incidental activity with relation to the primary use of the facility, such as the construction of a community center that would permit use or rental of rooms by any community group, including sectarian organizations.
  - (2) Any activity involved in the operation or maintenance of those portions of a facility that are used as places of sectarian instruction or worship, except where such activities are minimal or incidental with relation to the primary use of those portions of the facility.
- (c) Participants may be employed at religiously affiliated elementary or secondary schools or day care facilities or at elementary or secondary schools or day facilities used for religious worship if:
  - (1) Attendance at the school or facility if open to the community at large without regard to religious affiliation; and
  - (2) The participant is not leading or instructing in religious or sectarian activities.
- (d) The Division will endeavor to evaluate the functions of the participants rather than the scope of the activities conducted in a facility, to the extent the Division is permitted to do so under federal law.

*History Note:*      *Authority G.S. 143B-430(b); Ex. O. 93, June 8, 1983; 20 C.F.R. 629.3; Eff. October 1, 1984; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019.*