



SPECIAL EDITION – CRITICAL CHILDCARE ISSUE

***AUTONOMY OF PRIVATE PRESCHOOLS THREATENED
THROUGH RACE TO THE TOP-EARLY LEARNING CHALLENGE***

December 21, 2011

On December 16, 2011, the White House [announced](#) that nine states—California, Delaware, Maryland, Massachusetts, Minnesota, North Carolina, Ohio, Rhode Island, and Washington—were the winners in the recent Race to the Top-Early Learning Challenge competition. These states will now be awarded grant money from the \$500 million allocated to this program to use towards early education reforms in their states.

Thirty-five [states](#) and the District of Columbia submitted applications for the RTT-ELC competition. In their applications, states were encouraged to outline plans to bring all early childhood providers under their supervision, establish an accountability mechanism, formulate a tiered rating and improvement system, develop teacher qualification and certification processes, and strengthen data collection and assessment strategies.

The guidelines in the application made it clear that the states were not to focus solely on government-funded programs but were to include all early education programs, including private preschools, in their reforms. Key sections in the [application](#) indicated that a goal was indeed to bring all preschools and early learning centers under the governance of the state, regardless of funding source for that preschool. The application specifically stated that states should have in place a “Tiered Quality Rating and Improvement System in which all licensed or State-regulated Early Learning and Development Programs participate,” and all preschools, regardless of funding source, were to be licensed or regulated by the state. The most [telling statement](#) regarding the government control of private, faith-based preschools came from the White House press release which stated, “These investments will impact all early learning programs, including Head Start, public pre-K, childcare, and private preschools.”

A narrow exception was made for those states that already have in place an exemption for private or faith-based preschools. While this exception protects some schools and programs in some states, there are still many states which do not have an exemption in place; and there was no indication in the RTT-ELC whether these states would be allowed to establish an exemption for the religious or private early education centers in their state.

By requiring participating states to include private preschools in their regulations and reforms, the RTT-ELC not only infringes on the autonomy of private early education programs, it also threatens the religious liberty of faith-based preschools. These schools by nature operate according to their faith-based mission. This necessarily affects their decisions and practices when it comes to curriculum, personnel training and development, programs, and operational decisions. However, as schools are forced to comply with government regulations in these areas, their religious freedom will be negatively affected.

Recognizing the threat the RTT-ELC posed to private, Christian preschools, the AACCS began communicating their concerns early in the process of the development of the program. This resulted in

the “exception language” that allowed certain states to continue exemptions for programs if they were already in place. However, as stated earlier, this did not solve the problem for many states. So what can be done? The Administration bypassed Congress and has enacted its overreaching agenda through grant competitions and incentives to the states. However, the states still have the power to reject or refuse to enact programs that follow the Administration’s agenda.

The applications for each of the thirty-five states that participated in the RTT-ELC and the reviewers’ scores and comments can be viewed [here](#).

ACTION: Please take the time to review your state’s application, specifically looking for areas in which private schools would be included. It is vital that educators in each state communicate to their state and local officials their concern over federal and state overreach into the private education sector.

State legislators can pass legislation that ensures protection for private, faith-based preschools. State education officials can insert language into programs that explicitly states protections for the autonomy of private, faith-based preschools. Legislators must hear from the Christian leaders and educators in their states on this crucial issue. The importance of protecting the autonomy and religious liberty of our private Christian schools cannot be overstated.



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