



128 Dorrance Street, Suite 400  
Providence, RI 02903  
Phone: (401) 831-7171  
Fax: (401) 831-7175  
[www.riaclu.org](http://www.riaclu.org)  
[info@riaclu.org](mailto:info@riaclu.org)

**ACLU OF RI POSITION: OPPOSE**

**TESTIMONY ON 23-H 5776,  
ACTS RELATING TO EDUCATION – FEDERAL AID  
April 22, 2023**

This bill would require RIDE to offer a kosher meal school lunch option to school districts. While we certainly appreciate the laudable goal behind this legislation, we believe it raises a number of concerns.

First, from the perspective of the First Amendment’s protection against the “establishment of religion,” there is always a concern when a law explicitly singles out a particular religion or religious activity for special treatment and fails to ground the legislative action with an identifiable secular rationale.

In making a special statutory accommodation for kosher meals, Muslim students might legitimately ask why halal meals are not also offered as an option. As this example suggests, the legislation potentially opens the door to demands for a whole range of religious – and other – dietary accommodations. It also entangles school districts in thorny issues since the bill leaves it up to each district to decide whether to provide the accommodation.

While schools should be cognizant of the varied interests of their students in the meals being served – whether to accommodate religious beliefs, allergies, dietary restrictions due to disability, etc. – we believe the type of specific religious carve-out established by this bill is problematic for the reasons noted above. We therefore request that the committee take no action on the legislation.

Thank you for considering our views.