

Petition for Rulemaking
U.S. Department of Agriculture

June 24, 2025

To request that the U.S. Department of Agriculture amend the National School Lunch Program regulations (7 C.F.R. § 210.10(m)) to include religious needs as a non-disability exception to prompt schools to provide reasonable meal substitutions that comply with religious dietary needs.

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I. INTRODUCTION

The Harvard Law School Animal Law and Policy Clinic (ALPC) and the Harvard Law School Religious Freedom Clinic (RFC) submit this petition on behalf of the Jain Center of Greater Boston, the Jain Center of New Jersey, the Jain Center of Metropolitan Chicago, the Jain Center of Greater Atlanta, the Jain Center of Northern California, the Jain Society of Houston, the Jain Society of Southern Louisiana, the Jain Society of Central Virginia, the Jain Center of Greater Sacramento, the Jain Society of Buffalo, the Jain Center of Las Vegas, the Jain Temple of New York, the Jain Society of Central Florida, the Jain Community of Greater Birmingham, the Jain Center of Greater Hartford, the Jain Society of Pittsburgh, the Jain Center of South Florida, the Jain Center of Central Ohio, the Jain Samaj of Colorado, the Jain Society of Greater Lansing, the Tulsa Jain Sangh, the Jain Center of Allentown, the Jain Society of Rochester, the Jain Sangh of Kansas City, the Jain Society of Capital District, the Jain Study Center of North Carolina, the Jain Center of Memphis, the Jain Sangh of Hudson Valley, the Jain Center of Greater Phoenix, the Jain Religious Center of Wisconsin, the Jain Center of Connecticut, the Jain Association of North East Florida, the Jain Society of North Texas, the Jain Sangh of Greater Austin, the Jain Society of Metropolitan Washington, the Jain Temple of Los Angeles, the Jain Center of Southern California, the Federation of Jain Associations in North America (JAINA), and the Young Jains of America (YJA) (collectively, Petitioners). Petitioners request that the Secretary of the United States Department of Agriculture (USDA) amend the National School Lunch Program (NSLP) regulations to direct schools to accommodate the religious dietary needs of their students by providing suitable, nutritious meal options that accord with their religious beliefs.

Many devout students of different faiths must follow religious dietary restrictions, whether daily or at certain points in the year. For decades, the NSLP supported the religious needs of students by encouraging substitutions when “needed to meet ethnic, religious, or economic needs.”¹ However, the 2024 amendments to the NSLP regulations deleted these references and now instead merely encourage school food authorities to consider children’s *dietary preferences*.² But the dietary needs of students with sincerely held religious beliefs are not mere “preferences.” Providing reasonable meal accommodation to students who follow a religious diet is necessary to ensure that students are able to exercise their religion without extra burdens placed upon them. Moreover, under the First Amendment to the United States Constitution, religious practices are afforded extra consideration to prevent the government from infringing upon, or unduly burdening, individuals’ right to freely exercise their religion.

The failure to provide nutritionally adequate meals that align with the sincerely held religious beliefs of students violates the First Amendment. This deprivation not only compels students to choose between adherence to their faith and access to nourishment but also has a disparate impact on religious minorities. It undermines their academic performance, restricts their participation in extracurricular activities, and causes significant social and emotional harm. Furthermore, it places an inequitable burden on families, particularly parents, who must incur additional financial costs and logistical responsibilities to ensure their children have meals that comply with their religious dietary restrictions. By contrast, these additional responsibilities are

¹ See, e.g. 7 C.F.R. § 210.10(m) (Oct. 1, 2019); 7 C.F.R. § 210.10(g) (Dec. 21, 2005).

² See 7 C.F.R. § 210.10(m).

less likely to be borne by families of non-religious students whose diets are not closely tied to their religious beliefs. Such differential treatment raises serious constitutional concerns and may violate federal protections against religious discrimination in public education.

II. INTERESTED PARTIES

The **Federation of Jain Associations in North America**, or **JAINA**, exists to serve the 66 Jain Centers across the United States and 6 centers in Canada representing approximately 200,000 Jain members. JAINA was founded in 1981 and is the largest organization of Jains outside India.

The following Jain centers have joined the petition as Interested Parties:

- Jain Center of Greater Boston³
- Jain Center of New Jersey⁴
- Jain Center of Metropolitan Chicago⁵
- Jain Center of Greater Atlanta⁶
- Jain Center of Northern California⁷
- Jain Society of Houston⁸
- Jain Society of Southern Louisiana⁹
- Jain Society of Central Virginia¹⁰
- Jain Center of Greater Sacramento¹¹
- Jain Society of Buffalo¹²
- Jain Center of Las Vegas¹³
- Jain Temple of New York¹⁴
- Jain Society of Central Florida¹⁵
- Jain Community of Greater Birmingham
- Jain Center of Greater Hartford
- Jain Society of Pittsburgh
- Jain Center of South Florida¹⁶
- Jain Center of Central Ohio¹⁷
- Jain Samaj of Colorado¹⁸

³ <https://jcgb.org>.

⁴ <https://jaincenternj.org>.

⁵ <https://www.jsmonline.org>.

⁶ <https://www.jsgatemple.org>.

⁷ <https://jcnc.org>.

⁸ <https://www.jainsocietyhouston.org>.

⁹ <https://hindutemplenola.org/index.html>.

¹⁰ <https://rvajaincenter.org>.

¹¹ <https://jcgsac.org>.

¹² <https://jainsite.com/temple/jain-society-of-buffalo>.

¹³ <https://hindutemplelv.org>.

¹⁴ <https://jaintempleny.org>.

¹⁵ <https://www.jsocf.org>.

¹⁶ <http://jaincentersfl.org>.

¹⁷ <http://jaincentercolumbus.org>.

¹⁸ <https://jainsamajofcolorado.org>.

- Jain Society of Greater Lansing¹⁹
- Tulsa Jain Sangh
- Jain Center of Allentown²⁰
- Jain Society of Rochester
- Jain Sangh of Kansas City²¹
- Jain Society of Capital District²²
- Jain Study Center of North Carolina²³
- Jain Center of Memphis
- Jain Sangh of Hudson Valley
- Jain Center of Greater Phoenix²⁴
- Jain Religious Center of Wisconsin²⁵
- Jain Center of Connecticut²⁶
- Jain Association of North East Florida
- Jain Society of North Texas²⁷
- Jain Sangh of Greater Austin²⁸
- Jain Society of Metropolitan Washington²⁹
- Jain Temple of Los Angeles³⁰
- Jain Center of Southern California³¹

Young Jains of America is an entity of JAINA. YJA’s membership consists of over 10,000 Jain youth aged 14 to 29. YJA seeks to create opportunities for Jain youth to connect through social events, service, and education. One of YJA’s primary objectives is to instill a sense of pride among Jain youth about their heritage and to address the problems and difficulties facing Jain youth.

Jainism, one of India’s ancient religions, represents a small demographic both in India and the United States. In India, the 2011 Census recorded approximately 4.45 million Jains, constituting about 0.4% of the nation’s population. Despite their small numbers, Jains have a significant presence in states like Maharashtra, Rajasthan, Gujarat, and Madhya Pradesh. Recognizing their distinct religious identity, the Indian government granted Jains national minority status in January 2014 under Section 29(c) of the National Commission for Minorities Act, 1992. In the United States, the Jain population is estimated to be between 150,000 and 200,000, making it the second largest Jain community globally after India. In the United States, and according to a 2012

¹⁹ <https://lansingtemple.org/lansingtemple>.

²⁰ <https://www.hindutemple-lehighvalley.org>.

²¹ <https://www.htccofkc.org>.

²² <https://www.hindutemplealbany.org/temple/our-deities>.

²³ <https://jscnc.org>.

²⁴ <https://jcgp.org>.

²⁵ <https://www.jainwi.org>.

²⁶ <https://www.jaincenterofconnecticut.org>.

²⁷ <https://www.dfwjains.org>.

²⁸ <https://austinjainsangh.org>.

²⁹ <https://www.jsmw.org>.

³⁰ <https://jaintempleofla.org>.

³¹ <https://jaincenter.org>.

Pew Research Center report, Jains accounted for about 2% of the Indian-American population which was just under 3.5 million at the time. If the Jain population is estimated at the upper limit of 200,000, Jains constitute approximately 0.05% of the total U.S. population.³²

Practicing Jains follow a lacto-vegetarian (no eggs), vegetarian, or vegan diet. Their religious dietary restrictions stem from one of the core tenets of Jainism “ahimsa.” The term translates to “non-violence,” but the principle more accurately describes the minimization or avoidance of any kind of harm, injury, or insult—mental, verbal, and physical—to any living being. Thus, ahimsa extends to animals, insects, and microorganisms; even those living in water or subterranean. Jains consider hurting or harming any living being in any sense violence under the principles of ahimsa.

While it is understood that living in a complex, modern society inevitably involves some degree of harm to other living beings, the Jain religion emphasizes the intentional avoidance of such harm as a central tenet of its ethical and spiritual practice. Adherents of Jainism strive to minimize violence (himsa) to all forms of life through the disciplined observance of **ahimsa**, or nonviolent thoughts, words, and deeds. This commitment is not merely ethical, but spiritual: according to Jain philosophy, ahimsa, along with the other key vows, forms the foundation for liberation from **samsara**, the cycle of birth, death, and rebirth. The ultimate goal of Jain practice is moksha, or spiritual liberation, which is attained through the purification of the soul by eliminating karmic matter that accrues through acts of harm, even when unintentional.³³ Hence, while absolute nonviolence may be unachievable in everyday life, the sincere effort to avoid and minimize intentional harm is viewed as a vital step on the path to spiritual awakening and *nirvana*, a state of complete freedom from worldly attachments and suffering.³⁴ This aspirational ethic guides all aspects of Jain life,³⁵ from dietary restrictions that exclude animal products to professions that minimize harm to living beings. The Jain worldview³⁶ maintains that every living being possesses a soul (jiva) and, thus, any harm, regardless of the victim’s size or sentience, is karmically significant.³⁷

³² Pew Research Center. *The Future of World Religions: Population Growth Projections, 2010-2050*. April 2, 2015.

³³ Dundas, P. (2002). *The Jains* (2nd ed.). Routledge.

³⁴ Jaini, P.S. (1998). *The Jaina Path of Purification*. Motilal Banarsidass.

³⁵The Jain Way of Life is a disciplined, ethical lifestyle rooted in the principles of nonviolence (ahimsa), truth (satya), non-stealing (asteya), chastity (brahmacharya), and non-possession or non-attachment (aparigraha). It emphasizes compassion for all living beings, self-restraint, and personal responsibility. Daily practices include mindfulness in speech and action, a vegetarian or vegan diet, charitable living, and spiritual development through meditation, fasting and study of scriptures. Tatia, Nathmal, trans. *That Which is: Tattvartha Sutra of Umasvati*. San Francisco: Harper Collins, 1994.

³⁶ Jain Dharma, also known as Jainism, is an ancient religion centered on the principle of ahimsa (nonviolence) toward all living beings. It teaches a path of ethical living, non-possession (aparigraha), truth (satya), and asceticism to attain liberation (moksha) from the cycle of birth and death. Jains believe that every living soul is divine and that liberation is achieved through personal effort, right knowledge (samyak jnana), right faith (samyak darshana), and right conduct (samyak charitra). Jaini, Padmanabh S. *The Jaina Path of Purification*. Berkeley: University of California Press, 1979.

³⁷ Long, J. (2009). *Jainism: An Introduction* I.B. Tauris.

III. LEGAL BACKGROUND

The NSLP is a federally assisted meal program designed to provide nutritionally balanced, low-cost or free lunches to children in public and nonprofit private schools. The Program was established under the National School Lunch Act, signed by President Harry Truman in 1946.³⁸ Congress declared that the Program, “as a measure of national security, [would] safeguard the health and well-being of the Nation’s children” and “encourage the domestic consumption of nutritious agricultural commodities and other food.”³⁹ The USDA’s Food and Nutrition Service (FNS) administers the Program at the federal level. At the state level, the NSLP is administered by state agencies, which operate the NSLP through agreements with school food authorities.⁴⁰

Under the Act, NSLP’s nutritional requirements “shall not be construed to prohibit the substitution of foods to accommodate the medical or other special dietary needs of individual students.”⁴¹ Consistent with this section, for years the NSLP’s implementing regulations encouraged schools to provide special meals to religious students, recognizing that some students have dietary needs based on their sincerely held religious beliefs.⁴²

In the 1969 regulations implementing the NSLP, the USDA for the first time addressed meal substitutions, allowing schools to make substitutions to accommodate children’s “medical or other special dietary needs” when supported by a statement from a recognized medical authority.⁴³ Just two years later, the FNS updated the regulations to include other dietary needs, such as religious dietary needs, recognizing that children may have non-medical dietary restrictions.⁴⁴

Under the 1971 regulations:

The CND [Child Nutrition Division] may approve variations in the food components of the Type A⁴⁵ lunch on an experimental or on a continuing basis in any school where there is evidence that such variations are nutritionally sound and *are necessary to meet ethnic, religious, economic or physical needs*.⁴⁶

For decades, the NSLP regulations maintained the religious accommodation language. For much of that time, the regulations read as follows:

³⁸ <https://www.fns.usda.gov/nslp>.

³⁹ 42 U.S.C. § 1751.

⁴⁰ <https://www.fns.usda.gov/fns-101-nslp>.

⁴¹ 42 U.S.C. § 1758(a)(1)(A)(i).

⁴² See, e.g., 7 C.F.R. § 210.10(m)(3) (Sept. 27, 2016), (July 1, 2018).

⁴³ National School Lunch Program, Miscellaneous Amendments, 33 Fed. Reg. 18,006, 18,007 (Dec. 4, 1968) (codified at 7 C.F.R. § 210.9(d) (1969)).

⁴⁴ 7 C.F.R. § 210.10(g) (1971).

⁴⁵ A Type A lunch is a school lunch “which consisted of 8 ounces of whole milk, 2 ounces of protein-rich food, $\frac{3}{4}$ cup of vegetables or fruit, one portion of a bread product, and 2 teaspoons of butter or fortified margarine.” Institute of Medicine (US) Committee on Nutrition Standards for National School Lunch and Breakfast Programs; Stallings VA, Taylor CL, editors. *Nutrition Standards and Meal Requirements for National School Lunch and Breakfast Programs: Phase I. Proposed Approach for Recommending Revisions*. Washington (DC): NATIONAL ACADEMIES PRESS (US); 2008. Available from: <https://www.ncbi.nlm.nih.gov/books/NBK214991/>.

⁴⁶ 7 C.F.R. § 210.10(g) (1971) (emphasis added).

Variations for ethnic, religious, or economic reasons. Schools should consider ethnic and religious preferences when planning and preparing meals. Variations on an experimental or continuing basis in the food components for the food-based menu planning approaches in paragraphs (k) or (n) of this section may be allowed by FNS. Any variations must be nutritionally sound and needed to meet ethnic, religious, or economic needs.⁴⁷

But on July 1, 2024, the FNS removed the reference to religious “needs” entirely, opting instead for the generic—and supposedly more inclusive term— “dietary preferences.”⁴⁸ The amended regulation provides:

Variations for non-disability reasons. School food authorities should consider children’s dietary preferences when planning and preparing meals and afterschool snacks. Any variations must be consistent with the meal pattern requirements specified under this section. Expenses incurred from meal pattern variations that exceed program reimbursement rates must be paid by the school food authority; costs may be paid from the nonprofit food service account.

The final rule implementing the amended regulations explained that referring to “dietary preferences” is meant to encompass a variety of “preferences,” including “cultural, ethical, Tribal, and *religious preferences*.”⁴⁹

IV. IMPACTS ON JAIN STUDENTS WHO DO NOT HAVE ACCESS TO SCHOOL LUNCHEES THAT COMPLY WITH THEIR RELIGIOUS DIETARY RESTRICTIONS

For many Jain students and their families, maintaining a diet rooted in nonviolence while fully participating in school life has presented significant and recurring challenges. Our research has identified at least three ways in which students and parents have been harmed by schools’ failures to provide adequate meals that are consistent with their religious practices: 1) students face physical harms, 2) students face social repercussions, and 3) families of Jain students face economic hardships by having to provide daily meals due to a lack of options that meet the religious dietary needs of their children. These effects undermine the NSLP’s objectives.

A. Physical Harms Suffered by Jain Students

Jain students have experienced physical and cognitive harm as a direct result of schools’ failure to provide nutritious meals that align with their religious dietary restrictions. Students consistently reported feeling “hungry,” “tired,” and deprived of adequate nutrition. In addition, students reported that the food available was demonstrably detrimental to academic performance and participation in extracurricular activities. As one high school student in Connecticut put it, “if [he’s] hungry during the day, there is nothing for a vegan to get at the cafeteria.” Another

⁴⁷ See, e.g., 7 C.F.R. § 210.10(m)(2) (2005).

⁴⁸ 7 C.F.R. § 210.10(m)(2) (2024).

⁴⁹ 89 Fed. Reg. 31,962, 32,019 (Apr. 25, 2024) (emphasis added).

student in Illinois elaborated on the long-term impact: “In the absence of choices, I decided to restrict myself from school meals, but it does affect my mental ability to be my best at school.”

Data collected through surveys and interviews reveal a widespread pattern of dietary inadequacy among Jain students across the United States. In California and Illinois, both elementary and high school students reported relying primarily on fruit and french fries for lunch. Others described days when the only available options were pizza or garlic bread, neither of which are permissible options for many Jain students. A middle school student in Minnesota noted that the vegetarian selections rotate between “bread, cheese pizza, or single cheese sticks.” Setting aside whether those items constitute a meal that meets the NSLP’s nutritional requirements, none would meet the religious needs of a Jain student who follows a lacto-vegetarian diet. Similarly, a high school student in Massachusetts reported that the sole vegan option provided is “three breadsticks with marinara sauce.” Several students indicated that even the salads often contain meat, and they are instructed to simply “pick off” the animal products, an approach that directly conflicts with their religious beliefs.

These first-hand accounts underscore the difficult position Jain students often face when they enter their school cafeterias. If they are unable to bring meals from home, Jain students are often left with only a side dish, a plain salad, or no options at all. As one high school student from Texas observed, “the nutritional quality [of these options] is not enough to supplement a whole day’s meal.”

Numerous Jain students and parents have reported that, even when they proactively engaged with school administrators to request meal accommodations, their concerns were met with indifference or outright dismissal. A particularly illustrative example occurred at an elementary school in Massachusetts, where a Jain family contacted the school’s meal coordinator to explain that their children were routinely going hungry due to the absence of vegan options that align with their religious beliefs. The school informed the family that fruit and salad were available. The school’s response is troubling for two reasons. First, it is unlikely that the options identified meet the NSLP’s nutritional requirements. Moreover, by identifying an option that is unlikely to meet those requirements, the school disregarded the family’s sincerely held religious convictions.⁵⁰ The refusal to provide meaningful accommodation denies Jain students access to nutritionally sufficient meals and reflects a broader pattern of institutional apathy toward student religion. Similar experiences were reported by families across other Jain centers, highlighting the systemic barriers that undermine equal access and religious inclusion within the NSLP.

B. Social Repercussions Faced by Jain Students

In interviews and surveys many Jain students from JAINA member centers, including JCGB and JCSC, expressed that their adherence to a Jain diet led to significant social repercussions. The lack of religiously acceptable meals left many students feeling excluded at lunchtime and misunderstood by their peers. Some Jain students were bullied for adhering to their religious

⁵⁰ As of July 1, 2024, the NSLP requires a minimum daily amount of 8-10 oz eq of meat/meat alternatives for K-5; 9-10 oz eq for Grade 6-8; and 10-12 oz eq for Grades 9-12. Fruits and Vegetables are assessed independently of the required meat/meat alternatives. Therefore, the school, justified its offerings by referring to completely different categories which cannot be replaced for the meat/meat alternative category.

dietary needs by students who called them “sensitive,” “picky,” or “stubborn.” A high school student in Massachusetts explained that this social stigma caused her to shy away from advocating for her religious values. She expressed fear of what advocating for herself and her religious needs would “look like to the collective.”

In another example, a family requested vegan meals for their elementary school child. The school responded by telling the family that it would be better if the family packed a lunch for the child. The school then went on to isolate the child from their peers, treating the young student’s religious diet like a severe food allergy. In addition to failing to provide a vegan meal option, the school excluded the student from participating in recess and isolated the student at a separate, allergen-free table in the cafeteria. The school failed to understand and accommodate the student’s religious dietary requirements, placing an undue burden on the parents to consistently provide meals and causing the child to feel excluded by unnecessarily isolating them from their peers.

C. Families that Qualify for the NSLP Face Financial Hardship When Schools Fail to Accommodate Students’ Religious Dietary Restrictions

The NSLP exists to ensure the health and wellbeing of this Nation’s children whose families face financial constraints. When devout families are forced to prepare meals at home that should be provided by schools to comply with religious dietary requirements, they face undue financial hardship and added stress. Families should not have to choose between observing religious requirements and ensuring that their children have nutritious meals so that they are healthy and have the energy they need to learn and play.

V. DATA REFLECTS THE EXPERIENCES OF RELIGIOUS STUDENTS

To understand the challenges faced by Jain students in public schools, the undersigned Harvard Law School clinics conducted both qualitative and quantitative research, including surveys of over 300 families and a detailed analysis of 33 school lunch menus. The menu research confirmed what many students and parents have expressed: that school meal programs often fail to provide food that both is nutritionally adequate and meets students’ religious needs. The findings below underscore the systemic barriers Jain students and parents face. These barriers impact not only their dietary needs but their educational experience and well-being.

A. Protein inequity in school-lunch menus that fail to provide religiously acceptable meals and snacks

While interpretations of the Jain principle of ahimsa may vary, with some adherents consuming a lacto-vegetarian, vegetarian, or vegan diet, our research identifies an overarching consensus. According to the results of over 300 surveys of Jain students and parents and in-person engagements with Jain students, families, and community leaders, we found that providing a hot vegan school lunch option would accommodate most Jain student’s religious needs. Thus, our

school lunch menu analysis reviewed the number of hot vegan options provided by schools.⁵¹ Unfortunately, we found that only three out of 23 schools that published detailed nutritional information served a hot vegan meal. Of those three schools, none offered a hot vegan meal on a daily basis.

At the 20 schools that did *not* provide a single hot vegan option, Jain students who follow a lacto-vegetarian⁵² diet received *zero* grams of protein from the school lunch program over the course of an entire week – compared to an average of 28 grams of protein per day provided by non-vegan meals. The NSLP requires a daily meat/meat alternative offering of 1 oz equivalent for K-8 and 2 oz equivalent for Grades 9-12. When converted to grams of protein, the NSLP requires a minimum daily amount of approximately 28 grams of meat/meat alternative for K-8 students and approximately 56 grams daily for students Grades 9-12. Even in the few schools where vegan meals were occasionally served, those meals contained a *weekly* total of 20 grams of meat alternative. In comparison, the non-Jain students would potentially consume 140-280 grams in the same week, the amount of protein required by the NSLP. This data highlights a systemic inequity that deprives devout Jain students and potentially other religious students of both adequate nutrition and equal participation in a federally supported program designed to nourish all students.

B. Scarcity and inadequate labeling of religiously acceptable options at schools

Setting aside the nutritional adequacy of the meal options available to Jain students, those students also reported that schools often provide those meal options in such low quantities that the students who require the meals for religious reasons do not actually receive them. A Massachusetts high school student often goes hungry because the pizza and prepackaged veggie salads often run out in earlier lunch blocks. Another Massachusetts high school student similarly reported that some days they don't really have anything to eat because the salad bar is often gone by the time they reach it in line.

In our review of school lunch meals, we found that, while some schools listed a vegan meal option, those options were often not actually available to students. Of the seven schools that serve vegan food, on average only three vegan meals were served per month. For breakfast, the situation was even more concerning; while the schools served an average of 9 hot meals per month, not one of those meals was vegan.

Our research also discovered a consistent lack of appropriate labeling. Accurate food labeling is critical to students with religious dietary restrictions so that they can determine whether the meal options meet their religious needs. One school inaccurately labeled several food items that contained animal products as vegan. For example, a cinnamon roll, which the menu listed as

⁵¹ We specifically examined the availability of non-salad, plant-based meal options, as students who do not observe Jain dietary restrictions are routinely provided with hot, nutritionally balanced meals. It raises serious equity concerns to require Jain students to rely on salad bars, which frequently include animal-based ingredients and lack sufficient plant-based protein options, as their sole lunch option. Denying access to a comparable hot meal due to sincerely held religious beliefs constitutes a disparate impact and undermines the principles of equal participation in federally-funded school meal programs.

⁵² A lacto-vegetarian is a vegetarian whose diet includes dairy products, vegetables, fruits grains and nuts, but does not include eggs.

containing eggs, was labeled as vegan. Furthermore, none of the school menus included information on potential cross-contamination. Many Jains avoid food prepared with dishware, serving spoons, or other cooking equipment that may have come into contact with animal products. Without information on how meals labeled vegan were prepared, students have no way to assess potential cross-contamination.

VI. PETITION REQUEST TO REINTRODUCE IN THE NSLP REGULATIONS ACCOMMODATIONS THAT MEET THE RELIGIOUS NEEDS OF STUDENTS

While this petition reflects the religious needs and experience of one religious group with dietary restrictions, there are many religious communities that have religious dietary restrictions at points throughout the year. The USDA's deletion of references to meeting the religious needs of students sends a message to schools that they may ignore requests by devout students for meal variations that meet their religious needs. We ask that USDA reconsider its position that religious dietary restrictions are mere "preferences" and amend 7 C.F.R. § 210.10(m) as follows:

7 C.F.R. § 210.10 (m) Modifications and variations in reimbursable meals and afterschool snacks —

(2) *Modifications for religious reasons.* School food authorities shall make reasonable meal modifications, including substitutions in lunches and afterschool snacks, for children whose religion restricts their diet. The modification requested must be related to the child's religious beliefs or limitations consistent with their religion and must be offered at no additional cost to the child or household.

(i) In order to receive Federal reimbursement when a modified meal does not meet the meal pattern requirements specified in this section, the school food authority must obtain from the household a written statement signed by the child's parent/guardian. The statement must provide sufficient information about the child's dietary restrictions, such as foods to be omitted and recommended alternatives, if appropriate. Modified meals that meet the meal pattern requirements in this section are reimbursable with or without a written statement.

(ii) School food authorities must ensure that parents, guardians, and children have notice of the procedure for requesting meal modifications for religious dietary restrictions and the process for procedural safeguards related to meal modifications for religious dietary restrictions. *See* §§ 15b.6(b) and 15b.25 of this title.

(iii) Expenses incurred when making meal modifications that exceed program reimbursement rates must be paid by the school food authority; costs may be paid from the nonprofit food service account.

(iv) School food authorities which do not provide religious dietary accommodations may be in violation of federal law.

Alternatively, and at a minimum, petitioners request changing the NSLP regulations at 7 C.F.R. § 210.10(m)(2) as follows:

(2) *Variations for non-disability reasons.* School food authorities should consider children's dietary preferences or needs when planning and preparing meals and afterschool snacks. The Food and Nutrition Service (FNS) may approve variations in the food components of meals served in the child nutrition programs on an experimental or on a continuing basis where there is evidence that such variations are nutritionally sound and are necessary to meet ethnic, religious, economic or physical needs. Expenses incurred from meal pattern variations that exceed program reimbursement rates must be paid by the school food authority; costs may be paid from the nonprofit food service account.

VII. CONCLUSION

For many Americans, like the Jain Americans represented by this Petition, adherence to a particular diet is not a choice or preference, but a religious requirement. For the reasons set forth in this Petition, we urge the USDA to amend the NSLP regulations so that they once again reflect the USDA's commitment to ensure that devout students who seek meal accommodations as a matter of their faith are given appropriate consideration. The recent removal of language encouraging schools to provide meal accommodations to meet the religious needs of students reduces the likelihood that participating schools will take such requests seriously.

Courts have consistently recognized that dietary practices rooted in religious doctrine warrant the same level of respect and accommodation as other forms of religious observance.⁵³ Failure to accommodate such needs, particularly in the context of a federally-funded program like the NSLP, risks violating constitutional protections and creates an inequitable educational environment. Denying students access to meals that meet their religious requirements is not merely an inconvenience; it constitutes a substantial burden on their ability to fully participate in public education without compromising their faith. By reintroducing the "religious needs" language into the NSLP regulations, the USDA would be sending the correct message to participating schools that accommodation requests made by religious students reflect the students' "needs" not "preferences," and that the schools should take all appropriate steps to grant those accommodations. Doing so is essential to ensure that no student is forced to choose between adherence to faith and full participation in public education.

⁵³ See *Frazer vs. Illinois Dept. Of Employment Security*, 489 U.S. 829 (1989).

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Jain Society of Houston
3905 Arc Street
Houston, Texas 77063

Jain Society of Southern Louisiana
3829 Deer Creek Lane
Harvey, Louisiana 70058

Jain Society of Central Virginia
8704 Park Central Drive
Richmond, Virginia 23227

Jain Center of Greater Sacramento
10375 Old Placerville Road
Sacramento, California 95827

Jain Society of Buffalo
1595 N French Road
Getzville, New York 14068

Jain Center of Las Vegas
1701 Sageberry Drive
Las Vegas, Nevada 89144

Jain Temple of New York
271-09 80th Avenue
Hyde Park, New York 11040

Jain Society of Central Florida
407 W Citrus Street
Altamonte Springs, Florida 32714

Jain Community of Greater Birmingham
200 N. Chandalar Drive
Pelham, Alabama 35124

Jain Center of Greater Hartford
23 Fellen Road
Storrs, Connecticut 06268

Jain Society of Pittsburgh
615 Illini Drive
Monroeville, PA 15146

Jain Center of South Florida
1960 N Commerce Parkway #11
Weston, Florida 33326

Jain Center of Central Ohio
6683 South Old State Road
Lewis Center, Ohio 43035

Jain Samaj of Colorado
10744 Glengate Circle
Highlands Ranch, CO 80130

Jain Society of Greater Lansing
955 Haslett Road
Haslett, MI 48840

Tulsa Jain Sangh
6922 South Utica Avenue
Tulsa, Oklahoma 74136

Jain Center of Allentown
4200 Airport Road
Allentown, Pennsylvania 18109

Jain Society of Rochester
932 Pondbrook
Webster, New York 14580

Jain Sangh of Kansas City
14304 Mackey Street
Overland Park, Kansas 66223

Jain Society of Capital District
450 Albany Shaker Road
Albany, New York 12211

Jain Study Center of North Carolina
P.O. Box 146
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Jain Center of Memphis
2173 East Glenalden Drive
Memphis, Tennessee 38139

Jain Sangh of Hudson Valley
3 Brown Road
Wappingers Falls, New York 14845

Jain Center of Greater Pheonix
6250 South 23rd Avenue
Phoenix, Arizona 85041

Jain Religious Center of Wisconsin
3754 West Cypress Lane
Franklin, Wisconsin 53132

Jain Center of Connecticut
72 Gray Rock Road
Southport, Connecticut 06890

Jain Association of North East Florida
4968 Greenland Road
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Jain Society of North Texas
11321 Webb Chapel Road
Dallas, Texas 75229

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2000 Windy Terrace Building 19

Cedar Park, Texas 78613

Jain Center of Metropolitan Washington
1021 Briggs Chaney Road
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Jain Temple of Los Angeles
10105 Commerce Ave.
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Jain Center of Southern California
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