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**ACLU OF RI POSITION: AMEND**

**TESTIMONY ON 26-S 2649,  
AN ACT RELATING TO EDUCATION –  
RESIDENCE OF CHILDREN FOR SCHOOL PURPOSES  
April 8, 2026**

The ACLU of Rhode Island has no position on the general goal of this bill, which is to ensure that “any public school with available seats, after completion of the initial enrollment period for students, shall make all open seats available to other students residing within the same school district.”

However, we note that the bill provides, appropriately, language to ensure that students will not be discriminated against in the open seating process based on legally protected categories like their race or disability. [Page 2, lines 28-29] In trying to promote non-discrimination in this process, however, the list is incomplete. We would urge that it be amended to include other categories of non-discrimination that the law protects, including discrimination on the basis of religion and gender identity or expression.

Even though we recognize that school officials are almost certainly unlikely to engage in such discriminatory practices, we do not believe the legislation should give an unintentional message that certain forms of non-discrimination protected by law are of less importance than others. We therefore urge an amendment to include those few missing categories.

Thank you for considering our views.