THE NATIONAL CENTER FOR LAW & POLICY NEWS RELEASE
March 11, 2015– FOR IMMEDIATE RELEASE
CONTACT NCLP MEDIA RELATIONS: (760) 747- 4529

Appellate Oral Arguments Heard Today before a "Hot Bench" in Precedent-Setting Litigation Challenging Encinitas' Ashtanga Yoga Program (*Sedlock v. Baird)*.

SAN DIEGO, CA —This morning, attorney Dean Broyles of the National Center for Law & Policy squared off in oral arguments before a "hot bench" against attorneys defending Encinitas' public school Ashtanga yoga program at the California Court of Appeals, Fourth Appellate District, Division One, in downtown San Diego, California. The case was heard by a three-judge panel, including Honorable justices Judith McConnell, Richard Huffman, and Cynthia Aaron, who heard oral arguments and will decide the appeal.

The lawsuit challenges EUSD's (Encinitas Union School District) teaching of **Ashtanga yoga's ritual Hindu practices**, such as the ***Surya Namaskara***. The litigation has made major waves in America's growing yoga community, launching a national conversation about whether yoga is religious and is an appropriate subject for public education. Friend-of-the-court (amicus curiae) briefs were filed by World Faith Foundation, the Church State Council, and the Pacific Justice Institute, supporting Petitioners and Appellants. Amicus briefs were filed in support of Respondent EUSD by the Atlantic Legal Foundation, California School Boards Association's Education Legal Alliance, and the Yoga Alliance.

NCLP's founder and chief counsel, Dean Broyles argued this morning that "no court in the past 50 years has allowed state officials to teach ***formal religious rituals*** [like prayer, meditation, devotional Bible reading, or Hindu Pujahs to young children with impressionable consciences] in our public schools, and the trial court *erred as a matter of law* by failing to find the District's Ashtanga yoga program violates the Establishment Clause." We believe that the important American principle of religious freedom allocates to families, religious groups, and individual conscience the important job of teaching and understanding religious beliefs and practices, not to the state," declared Dean Broyles.

Broyles contends that "The District completely ignores the inconvenient truth that its **students are bowing to, praying to, and worshipping the Hindu sun god in yoga classes**, by being led through the *Surya Namaskara*. "Both in their briefs and before the court today, the District had no explanation whatsoever as to why worshipping the sun god and lotus meditation are *not* formal Hindu Liturgies; how the District purportedly metaphysically stripped them of religion; or how these continuing ritual Hindu ritual religious practices do not violate the Establishment Clause."

"The District's position is essentially that Hindu worship rituals can be taught in public school classrooms as long as school officials successfully conceal the objective religiosity of these Hindu liturgies from

young impressionable students and their families," said Broyles. "This cannot be the standard. The state cannot abuse its power by picking religious winners and losers, but must remain religiously neutral."

In court today, Dean Broyles argued that "to attempt to strip religion from objectively religious rituals, to try to separate the metaphysical from the physical, is a fool's errand." "Take for example a catholic mass, which involves standing and kneeling, bowing in prayer, making the sign of the cross, and taking communion (Eucharist). Would the Establishment Clause allow that a catholic mass is an acceptable replacement for P.E, if given in Latin or silently, and if relabeled 'calisthenics' or if its communion portion is called 'snack time,' or if the program were relabeled 'EUSD Mass?' Absolutely not! Neither should yoga's formal Hindu rituals be taught in public schools."

"If permitted, this will open up a religious Pandora 's Box," declared Broyles after the hearing. If the courts allow these Hindu liturgies to continue, we will see of flood of religious organizations mimicking the Sonima Foundation's approach, attempting to purchase access to young impressionable public school students, while at the same time deceptively concealing their religious beliefs and practices."

The thrust of our argument today was that, because the trial court failed to find that teaching children of a young age with tender consciences ***formal religious rituals*** in school-sponsored classes violates the Establishment clause, *it erred as a matter of law* and the appellate court is bound by well-established legal precedents to reverse and find the District's yoga program is unconstitutional.

Please address all media inquiries to The National Center for Law & Policy. The National Center for Law & Policy is a non-profit 501(c)(3) legal defense organization dedicated to the protection and promotion of religious freedom, parental rights, and other civil liberties. To review our earlier press releases, court documents, or trial transcripts, please visit our website at www.nclplaw.org.

For comment, please contact The National Center for Law & Policy at 760-747-4529 or dcarter@nclplaw.org.