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Encinitas Union School District Officials Ban the Bible: Guardians Informed Bible Not Allowed During "Free Reading Time."

Encinitas, CA —On Friday November 7, the National Center for Law & Policy sent a legal demand letter to the Encinitas Union School District (EUSD) on behalf of 4th grade La Costa Heights Elementary School student Noah McMahon whose granparents were told by district officials that Noah could not bring his Bible to school to read on his own during "free reading time," when children are allowed to choose any book they want to read.

Noah McMahon has been attending La Costa Heights Elementary School since 2009. Noah has Down's syndrome and is enrolled in a special education class for moderate to severely disabled children. Noah lives with his grandparents and guardians Craig and Lori Nordal. Noah's favorite book is the Bible and he reads his Bible every day at home.

The topic of "free reading time" was brought up during Noah's November 6, 2014 IEP (Individualized Education Program) meeting. In that meeting, his special education teacher asked Noah's grandparents, Craig and Lori Nordal, for any books that Noah likes to be used for Noah to read during "free reading time." This is a daily half hour period when children are permitted to select any book for reading. In response, Lori Nordal offered, "I would like him to bring his Bible." Immediately, two district officials, almost in unison, responded "No, that's religious, it is not allowed!"

"Students do not surrender their constitutional rights when they enter public schools," said Dean Broyles, National Center for Law & Policy's Chief Counsel. By banning religious books, here the Bible, EUSD has violated Noah's civil rights to religious free speech and the free exercise of religion, demonstrating the very type of religious hostility the Supreme Court has condemned. Unfortunately, EUSD exhibits a significant amount of confusion about how religious freedom actually works. In one classroom, state teachers lead students in liturgical ritual religious activities including bowing to the sun god *Surya* by participating in Ashtanga yoga's ***Surya Namaskara***, practices actually *forbidden* by the First Amendment. Yet in Noah's classroom nearby, EUSD teachers are forbidding him to read the Bible during free reading time, an activity actually *protected* by the First Amendment."

NCLP attorneys explain in the demand letter how EUSD's decision and conduct toward Noah violates the First Amendment. In addition, the letter informs the District that legal action will be taken unless a formal response is received within ten days, including an apology to Noah and an agreement to permit students to read religious books, including the Bible, during free reading times.

See attached demand letter.

"We fully expect that Encinitas Union School District officials, if they follow the law, will resolve this civil rights violation amicably and promptly," Dean Broyles said. "Without an apology and confirmation that EUSD students will be allowed to exercise their First Amendment rights by being permitted to read religious books like the Bible during free reading times, our client is prepared to take legal action. As of today, the National Center for Law & Policy has not received a formal response from EUSD to its demand letter, but we expect one very soon."

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.

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