



THE NATIONAL CENTER FOR LAW & POLICY

Freedom Forum

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NCLP Opposes Effort to Push Ashtanga Yoga to Public Schools Nationwide.

Since late September, the National Center for Law & Policy has been working with dozens of concerned parents in the Encinitas Union School District

*For to us a child is
born, to us a son is
given, and the
government will be on
his shoulders. And he
will be called
Wonderful Counselor,
Mighty God,
Everlasting Father,
Prince of Peace.*

Isaiah 9:6

(EUSD) to oppose the infusion of Hindu religious beliefs and practices in the form of Ashtanga yoga in public schools. In a matter that has garnered national media focus, the EUSD trustees were enticed to adopt a religious "PE" program for the cash-strapped district in August 2012 with the carrot being a \$533,000 grant from the religiously-based Jois Foundation, whose goal it is to promote the "gospel" of Ashtanga yoga to children worldwide. The Foundation's and EUSD's stated purpose is to "scientifically" prove that Ashtanga yoga is safe and effective for children so that this inherently religious form of yoga can be rolled out to public schools nationally.

A purported "study" in which biometric and survey data is being gathered from students is being conducted by the University of San Diego, a Catholic organization, and the University of Virginia, through its Contemplative Sciences Center (UVA-CSC, part its religious studies department). When you follow the money it becomes apparent that billionaires Paul & Sonia Tudor-Jones are providing the financial horsepower for this transparently religious effort. In fact, it is our understanding that the Tudor-Joneses provided the funds and impetus to: (1) form the Jois Foundation in September of 2011, (2) form the UVA-CSC with a \$12,000,000 gift in April of 2012, and, (3) donate the money to Jois for the August 2012 \$533,000 EUSD-Jois Ashtanga yoga grant.

EUSD superintendant Timothy Baird's media mantra has been that the Ashtanga Yoga program is purely physical and is "not religious." However, his consistent misrepresentation of the program is belied both by the EUSD curriculum and the statements of Manju Jois, the son of the deceased Pattabhi Jois (Guru-ji), "The Western world has a tendency to

"I am God, I am the Creator. I am the Vishnu, the Preserver; I am the Shiva, the destroyer; and I am the Creator, the Brahma. I am all three, the three is you. What you create is what you see, God is not over there, he is inside of you, he is making you do all these things You've got to unite within yourself, then there won't be any more confusion."

Manju Jois, son of Guru-ji.

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focus only on the physical side. This is NOT yoga. You are only practicing yoga and getting the complete benefit when you combine the physical with the spiritual. You can't do one without the other because it causes confusion. If you only practice the physical side you become physically strong but spiritually weak." Unfortunately the EUSD board of Trustees, three of whom are purportedly Christians, has refused to suspend the religious program, even after being provided with overwhelming evidence of its inherently Hindu religious nature and being shown how the religiously divisive program violates the federal and state religious freedom protections.

"The fundamental issue here is not about whether people like yoga or find its practice beneficial; it is about religious freedom and avoiding the devious state establishment of religion. There is a common misunderstanding of Hinduism and yoga, even amongst many Christian pastors, that the physical poses can be somehow separated from the spiritual and religious intent of worship. If that were true, Daniel's friends could have easily avoided the fiery furnace," declared NCLP president Dean Broyles. "The goal of the EUSD 'study' is to cloak this transparently religious program in pseudo-science so that its religious aspects can be downplayed. The Hinduization of American is well underway. If the Ashtanga yoga program is not stopped here and now, it will likely rapidly spread to public school districts across the fifty states. In other words, Ashtanga yoga may be coming soon to a public school near you."

For more information, listen to this Southern California Public Radio [interview](#) of Dean Broyles and a Jois Foundation representative. For more

Jois Foundation, whose goal it is to promote Ashtanga yoga to children worldwide.

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media links on this story, visit the [NCLP facebook site](#).

Students at Roosevelt Middle School Receive an Early Christmas Gift, Care of NCLP.

Evan Agarwal leads the Christian student Risen Club (the "Club") on Wednesday's during lunch at Theodore Roosevelt Middle School, an International Baccalaureate Magnet public school and part of the San Diego Unified School District. As is quite typical in these situations, the school administration started asking questions about the Club's legality after one parent complained, believing that the student-led and student-initiated Christian Club somehow violated the so-called "separation of church and state." One of the parent's complaints was that pizza was being used to entice children to the Christian Club. As a result, the district was considering engaging in discriminatory actions against the Christian Club such as moving their lunch-time meeting to the after school program and forcing the student Club to complete a rental application.

After hearing about The National Center for Law & Policy's successes in handling similar cases involving Christian clubs in public schools, Evan contacted us seeking legal assistance in late November, as the principal unlawfully suspended the Club pending further legal review by the District. On December 4, 2012, less than a week after receiving our 10 page legal demand letter, NCLP attorney Dean Broyles received a letter from San Diego Unified School District Legal Services General Counsel that Risen Club was being reinstated-with no changes and no restrictions. Evan's mother Dianne exclaimed, "This is

be somehow separated from the spiritual and religious intent of worship. If that were true, Daniel's friends could have easily avoided the fiery furnace."

Dean Broyles

"This is great news! We are extremely grateful to you for handling this in such a thorough and professional manner. This is truly a gift to the kids at Roosevelt this Christmas."

Dianne Agarwal,
Evan's mom.

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"While we are pleased we were able to help the Risen Club obtain such a quick resolution of this conflict, it is disappointing that public school administrators continue to violate clear legal precedents that have been in place for more than 20 years," declared Dean Broyles. "Whether such egregious violations of the student free speech, religious freedom, and Equal Access Act are committed out of ignorance of the law or hostility towards Christianity, they are inexcusable. This is the second Christian Club case we have had in San Diego County public schools in less than 45 days, the other being the recent Operation Christmas Child Club matter at Poway High School. Public school districts need to start teaching 'Constitution 101' courses as part of their continuing education for administrators and teachers so that such flagrant violations of students' First Amendment rights cease."

Please contact the experienced attorneys at the National Center for Law & Policy for a free legal consultation if you believe that student rights have been violated in the public schools.

U.S. Supreme Court Will Hear Proposition 8 Same-Sex "Marriage" Case.

The Supreme Court agreed on December 7 to hear an appeal of the Ninth Circuit U.S. Court of Appeal's recent decision to strike down the 2008 voter approved California constitutional amendment

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defining marriage as the union of one man and one woman. Oral arguments are expected in March and a ruling is expected by late June 2013. The National Center for Law & Policy, which has been involved in the battle to protect marriage in California since 2007, has been asked to prepare and file an amicus (friend of the court) brief in defense of Proposition 8 at the U.S. Supreme Court.

If the justices had not agreed to hear the matter on appeal, same-sex "marriages" would have immediately resumed in California. At issue in this case is whether the federal Equal Protection clause restricts states from defining marriage to exclude same-sex unions. The 9th Circuit had crafted a novel ruling stating that because same-sex attracted Californians had been (for a short time) granted the right to "marry" by the State Supreme Court, that the state ("we the people" of California) could not later take that "right" away by approving Proposition 8.

"The proposition 8 case is truly the *Roe v. Wade* of our time," declared NCLP president Dean Broyles. "Similarly to *Roe*, advocates are pushing for an expansive reading of the U.S. Constitution's Equal Protection clause so that the powers of the federal government would potentially include control over a fundamental matter that has, since the founding of our nation, been left to the states, namely the definition of marriage. If the U.S. Supreme Court took a radical step to coercively redefine marriage nationally, the destructive and devious fallout culturally would be similar to *Roe v. Wade*. If the court follows the U.S. Constitution and existing Equal Protection precedent, I am confident Proposition 8 will be upheld, state

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rights will be protected, and our democratic-republic will be preserved. While no one has a crystal ball, I believe it is more likely that the court will follow the latter course."

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Dean Broyles

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. The NCLP engages in constitutional litigation in state and federal courts and is also active in the areas of public policy and education.

For more information about The National Center For Law & Policy, please visit our website at www.nclplaw.org

All of our valuable legal services are provided to our clients *pro bono* (for free). We rely on the generous gifts of others to operate our legal ministry. To make your secure charitable tax-deductible donation, please click on this link: <http://www.nclplaw.org/donate/> or you may contact Darlene Carter at (760) 747-4529 or dcarter@nclplaw.org to set up a regular monthly gift or for more information. Thank you!

The National Center for Law & Policy

539 West Grand Avenue
Escondido, California 92025
Tel: (760) 747-4529
Fax: (760) 747-4505
E-mail: info@nclplaw.org
Web: www.nclplaw.org



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