



THE NATIONAL CENTER FOR LAW & POLICY NEWS RELEASE
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EUSD sued for civil rights violations resulting from its inherently and pervasively religious Ashtanga yoga program.

SAN DIEGO, CA — Attorneys for the National Center For Law & Policy (NCLP) filed a civil rights lawsuit in San Diego Superior Court today against the Encinitas Union School District (EUSD). The lawsuit seeks a writ of mandate and injunctive relief to order EUSD to comply with the California constitution's religious freedom provisions and a state education statute requiring EUSD to provide a mandatory minimum number of physical education minutes. The NCLP represents petitioners and plaintiffs Stephen and Jennifer Sedlock and their minor children, who are students in the district.

The lawsuit is the result of EUSD's decision to accept \$533,000 from the Jois Foundation in exchange for providing the religiously-based organization access to its young and impressionable students to test and prove the feasibility of Jois' "health and wellness" **Ashtanga yoga** curriculum. According to Harvard educated religious studies Professor Candy Gunther Brown, Ph.D., who wrote a declaration supporting the complaint, EUSD's Ashtanga yoga program is inherently and pervasively religious, having its roots firmly planted in Hindu, Buddhist, Taoist, and Western Metaphysical religious beliefs and practices. As such, the program violates California constitutional provisions prohibiting government religious preference and religious discrimination (article I, § 4), prohibiting use of state resources to support religion (article XVI, § 5), and forbidding employing government resources to promote religion in public schools (article IX, § 8).

"EUSD's Ashtanga yoga program represents a serious breach of the public trust," declared attorney Dean Broyles. "Compliance with the clear requirements of law is not optional or discretionary. This is frankly the clearest case of the state trampling on the religious freedom rights of citizens that I have personally witnessed in my 18 years of practice as a constitutional attorney. The program is extremely divisive and has unfortunately led to the harassment, discrimination, bullying, and segregation of children who, for good reasons, opt out of the program. EUSD's Ashtanga yoga program represents a prime example of precisely why in America we wisely forbid the government from picking religious winners and losers, especially when you have a captive audience of very young and impressionable children as we do in our public schools."

“EUSD’s ‘model’ yoga program sets a very dangerous precedent. No matter how starved our school districts are for money, we must not allow our public servants to ‘sell’ our precious children to the highest bidder to be used as religious ‘guinea pigs’ to fulfill the self-serving marketing purposes of a religiously motivated organization. Religious freedom is not for sale. EUSD’s improperly cozy relationship with the Jois Foundation has entangled the district in an unnecessary and avoidable religious controversy and has caused considerable damage and negative fallout in the community. EUSD had more than three months of warnings to make the right call and suspend the illegal program voluntarily, yet has negligently failed to act. The EUSD Trustees have persistently closed their eyes to the transparently religious nature of the program, determining to take the money and run with it. They have shown little concern or respect for families who were religiously burdened by the program and appropriately objected to religious beliefs and practices being illegally promoted in the public schools. And the EUSD Trustees and Superintendent have done nothing to solve the major problem that Children who opt out of Ashtanga yoga for religious and other reasons and who are not receiving the state mandated 200 minutes of PE every 10 days. Sadly after learning that the program violated the law, rather than doing the right thing and immediately suspending the program, EUSD’s Superintendent and Trustees engaged in months of delay and inaction. Meanwhile, Superintendent Baird repeated the misleading ‘mantra’ to the public and the press that EUSD had “stripped” the program of religion or that it was not “religious.”

The lawsuit does not seek money damages; but rather seeks to immediately suspend EUSD’s divisive Ashtanga yoga program and restore traditional physical education to the district.

Please address all media inquiries to The National Center for Law & Policy. We ask that you respect the privacy of the Sedlock family, whose children’s names have been withheld to protect their privacy.

For additional background information, see the October 2012 NCLP press release @ <http://www.nclplaw.org/wp-content/uploads/2011/12/NCLPPressRelease20FINAL1.pdf>

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. www.nclplaw.org

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