



**THE NATIONAL CENTER FOR LAW & POLICY NEWS RELEASE**  
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**Encinitas adopts Religious Ashtanga yoga program to replace physical education.**

***EUSD Board of Trustees agrees to review the new “physical” education program to confirm whether religion is being promoted.***

**ENCINITAS, CA** — Encinitas Union School District (EUSD) Trustees have agreed to review whether a foundation’s \$533,000 grant that is funding Ashtanga yoga classes in EUSD elementary schools violates the religious freedom of students and parents. Approximately 60 concerned parents participated in a Trustees’ meeting on Tuesday October 9, 2012. The decision to scrutinize the program was announced after parents and their attorney NCLP President Dean Broyles addressed the board with specific concerns regarding the religious nature of the Ashtanga yoga program that is replacing approximately 60 percent of student physical education time in the district.

The Jois Foundation-EUSD grant and memorandum of understanding specify that “Ashtanga yoga” will be taught to Kindergarten through sixth-grade students by instructors who must be certified and trained by the Jois Foundation in Ashtanga yoga. The curriculum being developed not only includes physical yoga components, but also the development of a “life skills curriculum” which includes “key yoga life concepts” and “life skills built around key themes of yoga instruction.”

The stated goal of the **Jois Foundation** is to promote the “gospel” of Ashtanga (Hindu beliefs and practices), a deeply religious form of yoga, worldwide. The spiritual “father” of the foundation is the recently deceased **Sri Patthabi Jois**, also known as Guru-ji. Jois himself has been quoted on numerous occasions saying, “It is very important to understand yoga philosophy; without philosophy, yoga practice is not good, and yoga practice is the starting place for yoga philosophy.” He also directly correlated his Ashtanga yoga (he is thought of as the father of Ashtanga) as Patanjali yoga, derived from the Yoga Sutras of Patanjali and a part of the Eight-Limbed Spiritual Path (Ashtanga literally means eight limbs and has an ultimate goal of absorption into the All or Universal). In addition, Jois said, “Yoga is one. God is one. Yoga means knowing God inside you. But using it only for physical practice is no good, of no use. The spiritual aspect, which is beyond the physical, is the purpose of yoga,” and “Spirituality means energy and to meditate on that energy is spirituality. So developing and having faith in this energy is spirituality. The sacred scriptures are the whole foundation of our spiritual tradition.”

The EUSD Ashtanga program will be purportedly “studied” by **University of Virginia (UVA)** and **University of San Diego (USD)** with the goal of confirming the benefits of Ashtanga yoga, a system of deeply religious Hindu beliefs and practices. The head of the newly-formed **Contemplative Sciences Center** at UVA (CSC), John Campbell, studied under Sri Patthabi Jois and is an Ashtanga practitioner, as well as having a PhD in religious studies with a particular focus on Tibetan and Indian Buddhism and Tantric philosophy. The CSC has expressed a desire to re-merge the practice of yoga and meditation with its spiritual roots. It is the UVA CSC which is “studying” the EUSD students and the results of regularly practiced Ashtanga yoga on children. The goal of the study appears to be to confirm and promote the “benefits” of Ashtanga yoga for children in public schools nationwide.

The financial and spiritual connection between UVA, the Jois Foundation, and the EUSD Ashtanga Yoga program is **billionaire Paul Tudor Jones and his wife Sonia**, herself a dedicated disciple of Sri Patthabi Jois. Earlier this year, Paul Tudor Jones gave a \$12 million grant to his Alma Mater to form the CSC at UVA. The Tudor Joneses were also instrumental in the founding of the Jois Foundation and allegedly gave the Jois Foundation the monies to fund the \$533,000 EUSD Ashtanga yoga grant. EUSD concerned parents are naturally questioning the validity of an alleged “study” so fraught with obvious religious and financial conflicts of interest.

Many students have already been reporting training and instruction that goes well beyond mere yoga poses, which are themselves understood to be a form of Hindu religious worship. For example, children in one class were trained in drawing mandalas, students on another campus were told that certain poses were imparted by Hindu deities; students on at least two campuses have done their yoga practices with pictures on the wall of the Eight-Limbed Spiritual Path (which has recently been removed) whose ultimate goal is absorption into the Universal; students even in kindergarten are being trained in the Primary Series of Ashtanga which is a series of poses called the Sun Salutation and was specified by Jois to begin all Ashtanga practice as a required form of worship.

Personal data is being collected regarding EUSD students participating in Ashtanga yoga in the form of measurements and questionnaires. Many parents were not initially aware of the study and did not provide informed consent for their children to participate as test subjects. Nor has there been the requisite transparency on the part of the district about the relationship between the JOIS Foundation, the UVA’s study, the EUSD, and Paul and Sonia Tudor Jones. Nor have parents have been fully informed of the entire purpose of the study, how the data will be used, or given an explanation of USD’s involvement and funding source.

EUSD appears to be circling its wagons, and seems to be purposefully concealing information from parents about the true nature of the Ashtanga yoga program. For example, EUSD has now changed its open school access policy and practice. Concerned parents are no longer allowed to view the Ashtanga yoga classes without first making an appointment and being accompanied by the principal. Mandalas, a form of sacred Hindu art colored in by students during “art” class at one EUSD school, were not allowed to be sent home and have now apparently disappeared.

As a result of this transparently religious Ashtanga yoga program, dozens of parents have opted their children out of the twice a week 30-minute yoga sessions. However, EUSD has not provided any physical education alternative for these students. This means that students who opt out are not currently meeting the minimum weekly PE participation mandated by California state law.

“Public schools should not be using taxpayer resources to promote transparently religious beliefs and practices like Ashtanga yoga,” declared NCLP president and chief counsel Dean Broyles. “Physical education in our public schools should be an inclusive activity that brings children together, not one

which fosters religious segregation and division. It is disingenuous that the Jois Foundation is now publicly claiming not to be a “religious” organization. All fair-minded citizens should be deeply concerned about this obvious promotion of Hinduism and shameless indoctrination by EUSD of impressionable young children with what are clearly religious beliefs and practices. It is very unfortunate the media has thus far given EUSD a pass on this and has decided not to peek behind the curtain to see what is really going on. If you follow the money in this case, major religious and financial conflicts of interest immediately emerge.”

“Superintendent Baird’s repeated public mantra that the program is not “religious” is simply not true. In fact, this issue has already been litigated and won by groups challenging Hindu religious indoctrination in public schools. Transcendental Meditation (TM) was eliminated from a public school in New Jersey because it promoted the Hindu **religion** in violation the First Amendment’s Establishment clause, *See Malnak v. Yogi (1979)*. The facts here are even stronger in the sense that in *Malnak* where TM was an *elective* for high school students; here it is a *mandatory* PE replacement for all EUSD elementary students (K-6). In *Malnak*, the district made the same spurious argument that Baird is now making—that the program has been stripped of religious content and is really just a physical and philosophical exercise.”

“However, I am very encouraged that the EUSD Trustees, after hearing the concerns of my clients have committed to review the program and have promised that if it is a religious program, as it clearly is, they will end it. I appreciate their commitment to fulfill their fiduciary and legal responsibilities to the Encinitas community. We will hold them to their commitment and expect their answer very soon.”

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***For comment, please contact The National Center for Law & Policy at 760-747-4529 or [dcarter@nclplaw.org](mailto:dcarter@nclplaw.org).***

If you would like to confirm the source of most of the information in this press release, please see:

C-Ville article <http://www.c-ville.com/yoga-u-is-the-contemplative-sciences-center-the-answer-to-uvas-reputation-gap-or-an-expensive-new-age-sideshow/#.UHnw0VFdATB>

The grant agreement between JOIS and EUSD

The MOU between EUSD and JOIS

The MOU between EUSD and the Regur Development Group (which is helping administrate the terms of the grant)

The JOIS Foundation Website [www.joisyoga.com](http://www.joisyoga.com)

Information from [www.ashtanga.com](http://www.ashtanga.com)

A letter from the Board to parents on September 4

A newsletter written to students and parents by yoga teachers in the district