



THE NATIONAL CENTER FOR LAW & POLICY NEWS RELEASE
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**Appeal Filed in EUSD Yoga Case (*Sedlock v. Baird*) Revealing
Religious Double Standard.**

SAN DIEGO, CA —On October 30, 2013, attorneys with the National Center for Law & Policy filed a notice of appeal in the public school yoga case that has made significant waves in America’s growing yoga community, has attracted international media attention, and has launched a national conversation regarding whether yoga is religious and belongs in public schools. At issue is the very existence of a foundational American value--religious freedom. Specifically here, whether the Encinitas Union School District’s Ashtanga yoga program for kindergarten through sixth grade students endorses or promotes religion in violation of the California Constitution’s religious “no-preference” provision and the Federal First Amendment’s Establishment Clause.

San Diego Superior Court Judge John S. Meyer stunned many yoga supporters when he announced in his July 1, 2013 ruling that yoga, including Ashtanga yoga, is religious. Yet Judge Meyer also quite inexplicably found that the Encinitas School District did not violate the Establishment Clauses of the U.S. or California Constitutions when the District hired yoga instructors to teach yoga to District students in District schools during school hours as part of the District’s official curriculum. Meyer found that EUSD had somehow stripped enough religious content out of the program so that the hypothetical “reasonable observer” student would not perceive that religion was being promoted by EUSD.

However, on September 23, 2013, after a hearing on the Sedlock’s formal objections to the July 1 ruling, Judge Meyer issued a revised Statement of Decision which acknowledged that EUSD’s yoga poses are in fact “identical” to those taught by Ashtanga yoga and its now deceased Indian guru P.K. Jois. Evidently, in spite of Judge Meyer’s stated grave concerns about Jois Foundation’s mission to promote Ashtanga yoga to public school children and Ashtanga devotee Jen Brown’s transparent conflict of interest as a Jois Foundation employee and EUSD yoga teacher, these red flags were not enough to cause Judge Meyer to find “excessive government entanglement with religion” and suspend the religious yoga program.

“Judge Meyer agreed with historical realities as well as the consensus of religious studies scholars when he found that yoga is pervasively religious,” declared NCLP President Dean Broyles. “Ritual physical

practices purportedly leading to ‘union with the Divine’ are obviously religious. The Jois Foundation has the transparent religious agenda of promoting Ashtanga yoga, which is based in Hindu religious beliefs and practices. Jois, now deceptively rebranded as the Sonima Foundation, purchased direct access to a captive audience of young and impressionable children by paying EUSD now nearly two million dollars to beta test its religious Ashtanga program on kids and jointly develop a religious yoga curriculum with the District. Once it ‘scientifically’ proves its program ‘works,’ the stated goal is to push Ashtanga nationwide in all public schools.”

“It is not the job of government to pick religious winners and losers. We must not allow the cultural elites to decide by fiat which politically correct religions, such as Hinduism or Islam, are acceptable for the state to promote to our children with our taxpayer resources, and which religions are not acceptable, such as Christianity. Our children are not religious guinea pigs and should never be subjected to such misguided religious experimentation by the State.”

“A reasonable observing student who is informed about the government practice at issue, here yoga, would clearly understand that EUSD is promoting religion.” In fact since the advent of EUSD’s yoga program students have actually made and continue to make religious associations with the practice of yoga such chanting “om” in yoga class and spontaneously assuming the lotus position off campus while closing their eyes and meditating. I am quite certain this case would have been decided very differently if this were a Christian based P.E. program. This whole debacle is shameful and the EUSD Superintendent and Board of Trustees should be embarrassed that this egregious breach of public trust has occurred on their watch with their approval.”

“We are confident that our likelihood of success on appeal is great if the court neutrally applies well-established First Amendment legal principles to EUSD’s religious yoga program,” stated Broyles.

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