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# Yoga does not advance religion, judge rules

Religion News Service | Jul. 15, 2013
San Diego

A California judge has ruled that the teaching of yoga in public schools does not establish a government interest in religion.

The decision came after parents sued the Encinitas Union School District to stop yoga classes introduced to elementary schoolchildren in the upscale suburb just north of San Diego.

In his opinion, San Diego Superior Court Judge John Meyer explained that although yoga is rooted in religion, it has a legitimate secular purpose in the district's physical education program. He also said the practice, contrary to parents' complaints, does not advance or inhibit religion.

Finally, Meyer said that although he had some concerns about the K.P. Jois Foundation, an organization launched in 2011 that awarded the district a $533,720 grant to start the program, the district's yoga curriculum does not create any kind of excessive government entanglement with religion. That's because it is the schools -- and not the foundation -- that are ultimately responsible for supervising the yoga instructors, Meyer said.

The National Center for Law and Policy, a nonprofit based in Escondido, Calif., that represented the plaintiffs, said it plans to appeal.

"We strongly disagree with the judge's opinion on the facts and the law," said Dean Broyles, who as president of the center represented plaintiffs Stephen and Jennifer Sedlock. The Sedlocks' child attends El Camino Creek Elementary School in Carlsbad, Calif., which is part of the Encinitas Union School District. They first sued the district in February.

"It's absolutely incredible, but it's not surprising," said Sian Welch, who pulled her daughter out of the yoga classes offered at Capri Elementary School in Encinitas. Welch said she believed the judge's decision was at least partly influenced by the money involved in funding the program and by an anti-Christian bias.

"We will have a society very soon where Christians will be the weirdest people," Welch said, though she said she has no plans to pull her daughter out of the school district.

David A. Peck, a lawyer with Coast Law Group LLP, a firm based in Encinitas that represented parents who are for the yoga program, explained that the judge had aptly applied the so-called "Lemon test," a legal litmus test first established by the U.S. Supreme Court in 1971. The test poses three different questions to determine whether a government's action violates the First Amendment in matters of religion.

"The judge got it right," Peck said, adding that Meyer had conceded the case was not black and white. The judge took the parents' concerns seriously, Peck said.

El Camino Creek's principal, Carrie Brown, said the program is "true fitness for the children and I'm glad the

judge could see that."

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