



## Timeline of *Nakashima v. Board of Education*

### **1996**

Portland Adventist Academy asks the Oregon School Activities Association to adjust the schedule of games for the Class 2A boys basketball tournament to avoid having PAA play any games on its Sabbath, from sundown Friday to sundown Saturday. The OSAA agrees to adjust Friday evening game times, but says Saturday times must follow a set order. The OSAA tells PAA that if it refuses to play a game on Saturday, it must forfeit.

### **1997**

The OSAA advises PAA that it may not forfeit any game, regardless of the Sabbath, effectively excluding the team from the state tournament.

### **2000**

PAA reissues its request to the OSAA to offer scheduling adjustments to accommodate their Sabbath. The OSAA's Executive Board issues an order saying it is under no obligation to alter the schedule.

PAA appeals the matter to the Oregon State Board of Education.

### **2001**

Hearings Officer appointed by the State Board of Education issues Proposed Findings of Fact, Conclusions of Law, and Order finding that the OSAA violated Oregon law and the Oregon Constitution by refusing to accommodate PAA students' religious beliefs.

### **2002**

The OSAA permits PAA to participate in the 2A tournament. During the tournament, the State Board of Education issues its order dismissing the complaint, contending the OSAA did not violate any laws or rules in scheduling the tournament. PAA loses a game and must forfeit the game for third place.

The ACLU of Oregon, on behalf of PAA student athletes and their parents, appeals the State Board of Education decision to the Court of Appeals.

### **2003**

The Court of Appeals says state law (ORS 659.850) requires the OSAA to attempt to reasonably accommodate the students' religious beliefs.

The case is returned to the State Board of Education.

*(continued on reverse)*

**2004**

OSAA argues that it is not required to accommodate religion if to do so would cause even a slight inconvenience to others. The State Board of Education concludes that scheduling accommodations for the students' Sabbath would be too burdensome on the OSAA.

The ACLU, on behalf of the students, appeals the State Board of Education decision to the Court of Appeals once again. A central question of the case is whether scheduling accommodations represent an "undue hardship" on the OSAA.

**2006**

For the second time, the Court of Appeals reverses the State Board of Education decision and refers the matter back to the state Board for further consideration.

OSAA seeks reconsideration of the Court of Appeals decision. The Court of Appeals adheres to its opinion.

The State Board of Education and the OSAA petition the Oregon Supreme Court for review. The petition is granted.

**2007**

Oral arguments are held before the Oregon Supreme Court.

**2008**

The ACLU of Oregon seeks and obtains a preliminary injunction in Multnomah County Circuit Court, forcing the OSAA to offer scheduling accommodations for PAA teams (girls and boys) in the state tournament. Another school, Rogue Valley Adventist, joins the lawsuit and is granted similar accommodations.

The Oregon Supreme Court issues its decision, upholding the Court of Appeals decision and sending the matter back to the State Board of Education for further review.