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TOP STORY

## Artificial turf at Legion Field may lead to Title IX implications for Roseburg High School

SANNE GODFREY The News-Review Jul 9, 2017



In this April file photo, the first base coach's box at Legion Field appears more like a reflecting pool — a scene repeated often this season more often than it's been in use.

Aaron Yost

Roseburg High School could be in violation of Title IX regulations if its baseball team uses a newly turfed American Legion Field without providing the school's softball team the same opportunity.

"It's really not about money, but about equality," said the school's softball coach, Brad Deaver. "I hope it wouldn't affect us playing softball, because ultimately that's why I'm here, to coach softball."

Title IX of the Education Amendments of 1972 prohibits discrimination based on gender in education programs that receive federal financial assistance, which includes athletics.

Athletic Director Russ Bolin said even though the field is owned by the city, the school could violate the federal law.

"Title IX does not compare program to program (baseball to softball) but it compares overall girls programs to overall boys programs," Cindy Simmons, the assistant executive director for the Oregon School Activities Association, said. "Baseball and softball are, many times, where large differences happen in relations to benefits to the student athletes but that does not necessarily mean that a school is not in compliance with the law.

Most schools in Oregon own the property for the baseball and softball field, and those with the funds to upgrade to artificial grass have often made the decision to do so at the same time. Schools in Grants Pass, Medford and along Oregon's coast have all made the switch in the past decade.

“When we decided to turf Legion Field it was immediately brought up that we need to do something for the softball fields as well,” said American Legion baseball commissioner Jeff Admire. “We have had conversations with the Roseburg head coach and athletic director. We definitely want to help as much as we can.”

American Legion has started its fundraising efforts and, although in its infancy stages, Admire seemed confident that excavation at Legion Field would get started this fall. The hope is to have a turf field in place before the start of the high school baseball season.

“We’re not doing it for the high school,” Admire said. “But all the schools in the area would obviously benefit when we do get turf here.”

Both baseball and softball fields are city-owned property and are leased by various organizations through the town. American Legion has a contract with the city and leases out the baseball stadium to the high school. The high school leases the softball field directly from the city.

Bolin emphasized that because the school does not own either of the fields the school district would not pay, or help pay, for the upgrades.

### Repercussions in the past

Lawsuits regarding artificial turf spurring a Title IX complaint are not unprecedented. The Lake Oswego School District is currently facing a class action lawsuit over its sports program after players on the high school softball team argued that there are fewer opportunities for girls, and that the facilities and fields were inferior to those provided to the boy’s team.

In previous years, the softball team played on a dirt field, susceptible to flooding, near Lake Oswego Junior High while the boys played on artificial turf near the high school.

“Specifically, the Student Athlete allegations relating to access and use of the locker room and the weight room are not limited to the softball team and instead affect all female athletes at LOHS,” Magistrate Judge Stacie Beckerman wrote.

“In addition, the allegations relating to disparity in coaching staff among men’s and women’s programs is system wide, as well as the allegations relating to publicity and promotion. Finally, the Student Athletes allege systemwide disparities in funding for women’s sports at LOHS, including opportunities for fundraising through concession and program sales revenue.”

Seaside High School faced a similar situation when a father of a softball player, Randy Anderson, filed an intent to sue the school district for failing to permit girls from participating equally at the city’s sports complex.

At Lake Oswego, the solution was to make the on-campus stadium a shared field with movable bases and a portable mount. A move that has been met with disappointment from both baseball and softball parents and players.

“Another piece about baseball and softball is that those are the only two facilities that boys and girls do not share so there’s a lot of room for differences,” Simmons said. “With softball being the one that is usually the less desirable.”

Roseburg’s situation is a bit unique because the school doesn’t own the property. Getting artificial grass on an American Legion baseball field is not against the rules.

“You can’t convince me this is a Title IX issue,” Admire said of the situation in Roseburg. “If the girls would’ve gotten turf, I’m sure the boys wouldn’t have complained.”

Legion Field is also used for summer baseball games by the American Legion Class AAA Dr. Stewart’s, Class A Pepsi Bottlecaps and Class A Umpqua Lions. The Roseburg Renegades junior baseball team occasionally uses Legion Field as well.

Umpqua Valley Christian School uses the baseball fields for its high school games at this time, but is working on getting a field of its own near the school. The school does not offer softball as a sport and as a private school is not as reliant on federal funding as Roseburg’s public high school.

## Turf for softball

Adding turf at the Stewart Park softball fields would give the Roseburg High School team a chance to get more practice time in during the regular season.

“In the long run, it’d be huge,” Deaver said. “Being able to be on the field and get more practice in, it would be huge. It would help with numbers too.”

The softball field has a tarp to cover the field during rain, but it takes nearly 30 minutes to take the tarp off and put it back on the field after practice or game time.

“We can chew up 35 to 40 minutes of practice time just to get our field playable,” Deaver said. “It’s hard to get practice in at those times.”

Besides offering a good place to practice for Roseburg High School, the field could also be rented out to other schools and clubs in the area to schedule games that would otherwise be rained out.

Deaver may soon show his face at a Roseburg City Council meeting to ask permission to begin fundraising for artificial grass at the Stewart Park softball field.

The school’s athletic director echoed his support.

“I think it’s the right thing to do if the baseball team is getting turf as well,” Bolin said. “Brad (Deaver) was working on talking with the city to make sure we have the go-ahead.”

The American Legion Baseball Commission was granted permission to raise funds for turf at the Stewart Park American Legion Field during the June 12 city council meeting.

A formal request for turf at the softball fields has not been filed, nor has anything regarding the softball program been placed on the city council agenda.

“I’ve been in contact with the AD and with American Legion and the city,” Deaver said. “What it comes down to now is developing a proposal to present to the city.”

Deaver is currently coaching three summer softball programs, for children ages 8-16.

“I’m only one person and this is a big project,” he said. “There are tons of assets that go into this. If I could have some help that’d be great.”

American Legion baseball commissioner Jeff Admire has reached out to Deaver to help him with the proposal and grant writing process. Admire also advised Deaver to create a nonprofit organization to raise the funds to help with funding for the softball field.

“We are working on it, but my priority is Legion,” Admire said. “We definitely want to help as much as we can. I will use my contacts and skills to help the girls get their field.”

## It comes at a cost

The cost to upgrade the softball field is estimated around \$250,000, a third of what Legion Field’s renovation project is estimated to cost according to estimates from the Colorado-based ProTurf Solutions.

During a June city council meeting, Legion commissioner Tom Donegan said the baseball stadium’s renovations were “one of those things without which we can’t go forward.”

According to the Legion commissioners, the softball field is significantly cheaper to upgrade, due to lower excavation cost and an already in place drainage system.

“In essence, the most cost effective thing would be to upgrade when the equipment is already there,” Deaver said. “That would be the best time for the softball field to be done.”

It was also noted that the cost to upgrade both at the same time would be significantly less expensive than upgrading each field at different times.

Once either team gets the funds to undertake the project, construction at the ballpark would take about 20 days.

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