

Title IX: School district has several options

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complete this work.”

Federal issues

In 2012, Anderson and John Nicolazzi, another parent, filed a lawsuit in federal court alleging the school district failed to permit girls from participating equally with boys.

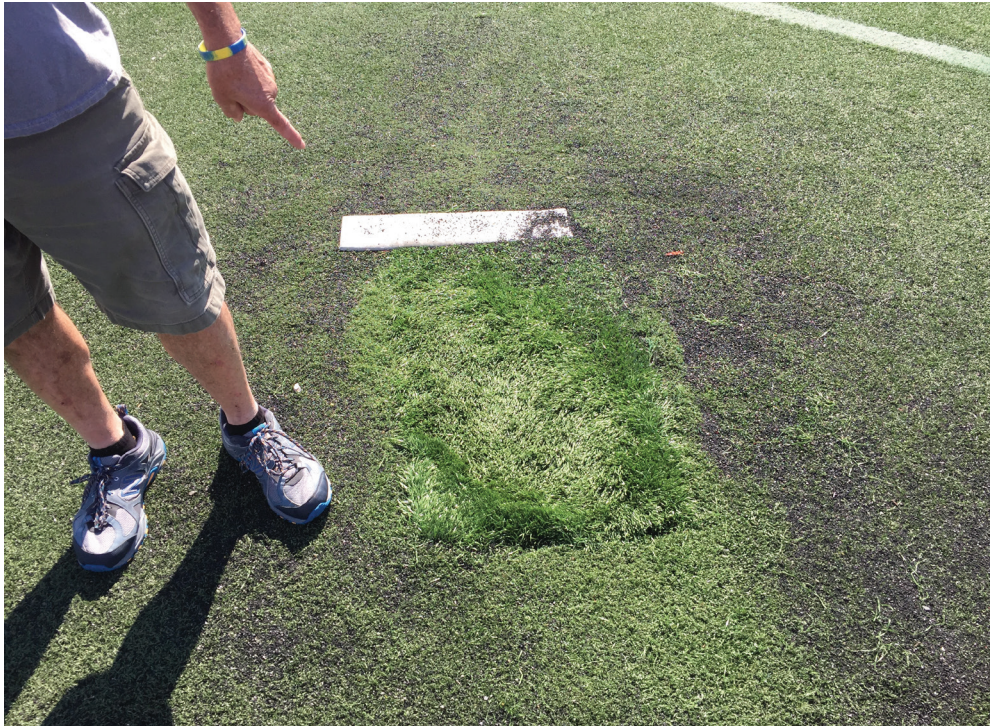
The lawsuit claimed that female students didn't have comparable athletic facilities as the boys, that they were unable to participate in team sports and that they had been excluded from the high school's athletic program.

The school district assigned baseball teams to practice and play games on "excellent artificial turf fields while requiring that female softball teams to practice and play on soggy, poorly maintained fields that force female teams to practice in a gym and to forfeit postpone games and/or travel to other districts to play because the district's fields are unplayable."

That case was dismissed after a settlement in 2014. Terms of the settlement were never publicly released, but the school district responded by adding lights and building a softball diamond at Broadway Field.

Those steps did not change the inequities, Anderson said, and even with lights, conditions for girls hardly improved.

"If I didn't sue them in federal court, that field would not be here right now," Anderson said. "They spent over \$28,000 to build that, and built a Title IX non-



compliant field. The girls are plopped on the football field as an afterthought. It's legal size, but they have to set up their own fencing. If you look, the boys have fencing set up, permanent fencing set up all the way around.

"See the foul pole? Boys have foul poles, permanent foul poles. Girls don't. They have to wheel in portable foul poles. The wheels don't work. They have to set up their own fencing."

Dissatisfied with conditions at the softball field, Anderson filed a civil rights complaint in March 2019. The Office for Civil Rights followed up.

"They spent two days up here, went through all the facilities, all the playing fields," Anderson said. "They did interviews with coaches, players and staff.

They came to their determination about the softball field because they found discrepancies, disparity between the girls softball and the boys baseball, and now the district has to do something."

According to findings accompanying the agreement, the Office for Civil Rights said "softball athletes indicated that pitchers would get their foot caught in a hole in the pitching circle and that athletes had to avoid a hole, used for the football goal post, located on the third base line to avoid injury."

The infield did not have a softball pitching circle permanently marked, and according to the softball athletes and the softball coach, they were responsible for spray-painting the pitching circle.

As Anderson described,

softball athletes and the softball coach set up and broke down temporary outfield fences for practice and competition — fences which often fell during games. The softball coach and softball athletes reported having to roll temporary, heavy foul poles out, and described the wheels "not working well."

While the baseball teams practiced during softball games, softball teams were prohibited from practicing during baseball games.

In addition to Broadway Field, the junior varsity softball team used Wahanna Field, but only sparingly because of its poor condition.

"The infield dirt was hard and uneven, with no markings for a pitching mound, foul lines, batter's box, or other markings of any kind, and the grass outfield was



Photos by R.J. Marx

ABOVE: Randy Anderson points to discrepancies between Broadway Park playing facilities. LEFT: Turf at the softball field poses a tripping hazard for pitchers.

muddy and uneven," according to a letter from the Office for Civil Rights.

The Office for Civil Rights concluded that the softball field, as compared to the baseball field, "may result in the denial of equal opportunity to female athletes."

During the investigation, the school district expressed interest in resolving the complaint. "OCR agreed that the complaint is appropriate to resolve prior to the conclusion of the investigation," the letter said.

Several options

The school district has several options, Anderson said, from tearing down the boys' field, modifying it with a portable mound or building another softball field. His preference, he said, is "right here, right here on the boys'

baseball field."

If the school district moves the girls' field off Broadway Field, then they increase the distance for girls to the new batting practice facility. "And now the boys would have the advantage, short access, to where the girls would have to travel," Anderson said.

The park district, which maintains Broadway Field, is aware of the agreement, executive director Skyler Archibald said.

"We have had ongoing and productive conversations with the city and school district regarding this," he said. "We will continue to work with them to determine the best way to move forward and I am optimistic for a great outcome for our community and athletes that use the Broadway Field."



City Councillor Tita Montero, Nelle Moffett and Rick Bowers at the homelessness forum.

Homeless: 'No place to put anybody'

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Putting a face to the homeless in Seaside and finding adequate shelter for them was one of the goal's of the meeting. Nelle Moffett and Rick Bowers, who founded Friends of the Unsheltered, moderated the event.

The event followed four previous sessions focused on finding answers to the complex web of need and resources for the city's unsheltered.

"I think my first thought would be to remember that the homeless community, bottom line, they are people," Seamus McVey, who facilitates a recovery clinic working with addicts, the mentally ill and homeless in Seaside, said. "They may have been you, or you, or me — all deserving the same basic levels of respect."

Not having a place to go or access to resources are the biggest issues, McVey said. "Agencies in the area are not set up to help those actively on the street," he said.

A lack of housing availability throughout Clatsop County makes matters more difficult.

"We have the ability to help people get into housing, deposits, sometimes a few months rent — the trick is to find a place," Cheryl Paul, a homeless liaison with Clatsop Community Action, said. "And for most of the programs, the trick is, they need to find a place. And



Seamus McVey addresses the forum. McVey facilitates a recovery clinic working with addicts, the mentally ill and homeless.

guess what. There are just no places right now. ... When they do come open, they go very quickly. There's just no place to put anybody."

Some homeless are working, and their transition to housing should come first, Moffett said. "One strategy is to house the easy ones, low-hanging fruit, so to speak, get the people who are not crazy, not addicted, that are working," she said. "Let's get them housed, and then work on the next group of people and we can solve the problem for them."

"Everybody loves to live on the beach, but it's not cheap to live at the beach," Bruce Rosebrock, a resident, said. "I'm in favor of transitional housing. If you've got taxpayer money or donor

money, they want to see some success with their money. But how do you make that work? I think the average person has a good heart, but we don't all have bottomless pocketbooks. To see success, the community wants to see results."

Changes to city ordinances removing panhandling laws or sleeping in vehicles could decriminalize homelessness and ease the burden on law enforcement. A limit on the number of vacation rentals in the community could also be enacted to free up available housing.

Kathy Kleczek, who serves on the Planning Commission, suggested a food and beverage tax to take the burden off local taxpayers. "We're tiptoeing around the

systemic issue," she said. "It would be a great idea to find a different source of how to fund our infrastructure. We need a tax from those who come to visit, who have the money in their pocket."

The tax, like the proposed 5% food tax in Cannon Beach that could go to voters in November, is a valuable means of raising funds for the community, Kleczek said.

City Councillor Tita Montero, who helped organize the homelessness forums, said the next step is brainstorming. "You put all those ideas out there, no matter how crazy they are," she said. "You don't say 'no' to anything, you don't judge anything. You get it all on the table. And then you start sorting through, 'Where can we do this one, where can we do this one?'"

"If you don't do anything, you won't get anywhere," Montero added. "At some point, we have to take that step of faith and say, 'We're going to try this.' And we're going to see what happens."

'I THINK MY FIRST THOUGHT WOULD BE TO REMEMBER THAT THE HOMELESS COMMUNITY, BOTTOM LINE, THEY ARE PEOPLE. THEY MAY HAVE BEEN YOU, OR YOU, OR ME — ALL DESERVING THE SAME BASIC LEVELS OF RESPECT!'

Seamus McVey, homeless advocate

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