Softball Players Claim Discrimination !

Batavia, N.Y. – Three softball players and their parents have sued the Batavia City School District, claiming the boys baseball team has better facilities and equipment. The lawsuit says the district is in violation of Title IX, which requires equal treatment of boys and girls in athletic programs.

The lawsuit, which is seeking class action status, was filed last week in federal court by Susan and James Myers, their daughters Elizabeth and Rebecca, and Maria Walsh and her daughter Kimberly. They are being represented by the Empire Justice Center in Rochester, NY which declined to comment on the lawsuit.

The lawsuit alleges gender discrimination because the varsity boys baseball team plays at Dwyer Stadium, a professional minor league field and home to the Batavia Muckdogs. The stadium has 2,200 seats.

The girls varsity softball team uses a field at the high school. The lawsuit says the field "has no ticket booth, no lighting for night games, no outfield fencing, no scorecard, a small set of portable stands which are in poor condition and shared with other athletic teams, no covered seating for either players or fans, no press box, no dugouts whatsoever, and no bullpen."

The lawsuit says the field is substandard and covered with gravel, making it uneven and hazardous. The field also floods when it rains.

Batavia residents voted down a March 2011 capital improvement plan that would have made improvements to the girls softball field.

The lawsuit is seeking a judge to order Batavia to fix the inequities and make the district pay for court costs.