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SAN DIEGO DISTRICT COURT JUDGE RULES IN FAVOR OF FEMALE ATHLETES IN TITLE IX CLASS ACTION CASE AGAINST SWEETWATER UNION HIGH SCHOOL DISTRICT
Girls Face Worse Facilities, Fewer Opportunities, and Unfair Distribution of Resources at Castle Park High School.

LOS ANGELES, CA – February 10, 2012 – In a potentially precedent-setting decision, Judge James M. Lorenz of the U.S. District Court for the Southern District of California on Thursday ruled in favor of a group of female athletes in a Title IX class action lawsuit against the Sweetwater Union High School District. The judge determined the school district unfairly favored boys' sports over girls' sports at Castle Park High School (CPHS) by giving the boys better athletic facilities, resources and opportunities. The parties are to submit the proposed compliance plan within 45 days of the filing of this order.

The case, *Ollier v. Sweetwater Union High School, et al.*, was filed in 2007 by the Legal Aid Society-Employment Law Center, California Women's Law Center, and Manatt, Phelps & Phillips, LLP. The student plaintiffs sued for injunctive relief under Title IX of the 1972 Education Amendments, which bars sex discrimination in education, including athletic programs.

The case detailed the consistently superior quality of playing and practice facilities for the boys' football and baseball teams, compared to those provided for the girls' teams. The boys had dedicated locker rooms for just the football team and access to the best athletic amenities. Female athletes did not have comparable facilities. The fields where the girls were required to practice and play were overused, rundown and sometimes unsafe.

In his order, Judge Lorenz noted: "The balance of hardships weighs firmly in plaintiffs' favor. The inequalities demonstrated at trial should have been rectified years ago by the district. ...plaintiffs are entitled to injunctive relief. Defendants are required to comply with Title IX in all aspects of its athletic programs and activities..."

"This victory not only validates the arguments of this group of students, but equalizes the playing field for future girl athletes who deserve an equal high school experience to their male classmates," said Manatt Litigation partner Erin C. Witkow. "It's about comparable facilities for boys and girls today—and tomorrow. The schools have to comply and continue to comply, and provide an equal opportunity for student athletes—no matter their gender."

When parents and students complained about these Title IX violations at CPHS, the administration retaliated against the girls by firing their highly qualified and beloved coach and refusing to allow qualified parents to assist the new coach, despite the fact that the baseball team was still allowed to have parent coaches.

In April 2009, Judge Lorenz issued summary judgment on one of the claims, ruling that CPHS allowed “significant gender-based disparity” in sports at the expense of female athletes. Thursday’s ruling was made in favor of two remaining claims brought by the class: that the District did not provide both sexes equal treatment and benefits; and that the District retaliated in response to complaints of sex discrimination.

“I’m very happy with the outcome of this lawsuit. I hope this will mean more athletic opportunities for all students at Castle Park High School, but especially for girls,” said Veronica Ollier, plaintiff and former CPHS student and softball team member. “I hope this will lead to more college-bound female athletes from Castle Park High School. The outcome was absolutely worth the wait.”

“With this victory, future generations of girls at Castle Park High School will get the same opportunities and treatment as boys at the school,” said Naudia Rangel, plaintiff and former CPHS student and softball team member. “That’s all I wanted from this lawsuit. I just wanted things to be fair. I’m proud that we changed the future for female athletes at Castle Park High School.”

“The Sweetwater Union High School District had numerous opportunities to solve this problem,” said Vicky Barker, Legal Director of the California Women’s Law Center. “But instead of addressing the stark discrepancy between the girls and boys athletic programs, they chose to go to court and continue these clearly discriminatory practices. We thank these courageous young women for coming forward to fight against this unfair treatment at their school and we thank Judge Lorenz for holding the School District accountable for its actions.”

“Title IX is almost 40 years old, yet we still see this type of blatant discrimination against young girls all across the country,” said Elizabeth Kristen of The Legal Aid Society-Employment Law Center. “And this is not just about athletics or physical fitness. High school girls who participate in team sports are less likely to drop out of school, less likely to smoke or drink, or become pregnant. And they are more likely to go on to college. The skills that young women gain from sports participation, including teamwork, leadership, and discipline, are crucial to their later success in higher education and employment.”

Although Title IX cases filed on the college level are highly publicized, discrimination is just as likely to occur at the K-12 level. Discrimination in elementary and high schools often goes unchecked because younger athletes and their parents may not be aware that anti-discrimination laws apply to public educational institutions as well as to most private educational institutions if they receive federal funding. Each school system is required to implement and enforce Title IX.

About the Legal Aid Society–Employment Law Center

The Legal Aid Society-Employment Law Center, founded in 1916, is the oldest legal aid organization in the West. It is committed to protecting the rights and economic self-sufficiency of low-income and disadvantaged workers and their families throughout the Bay Area, California, and nationwide. The LAS-ELC provides a continuum of assistance, including community legal services, educational materials, technical assistance to other groups, and direct legal representation. It is nationally recognized for its legal advocacy programs that address racial equality; gender equity; immigration and national origin, and disability rights.

About the California Women’s Law Center

Since its founding in 1989, the California Women’s Law Center (CWLC) has worked to eliminate the barriers that keep women and girls in poverty. CWLC advances systemic reforms through gender discrimination, health, violence against women, and reproductive justice initiatives, ensuring that life opportunities for women and girls are free from unjust social, economic, and political constraints. CWLC is a leader in Title IX education and enforcement in California at the high school level.

About Manatt, Phelps & Phillips, LLP

Manatt, Phelps & Phillips, LLP, is one of the nation's leading law firms with offices located in California (Los Angeles, Orange County, Palo Alto, San Francisco and Sacramento), New York (New York City and Albany) and Washington, D.C. The firm represents a sophisticated client base – including Fortune 500, middle-market and emerging companies – across a range of practice areas and industry sectors. Manatt professionals and staff are actively involved in the firm's pro bono representations. The firm annually devotes at least 3% of billable time and resources to hundreds of not-for-profit organizations and individuals unable to pay significant legal fees. For more information, visit www.manatt.com.

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