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**Legal Issues in Sport and Physical Activity Programs**  
**SPM 4723 Section 1B32**  
Department of Tourism, Recreation, and Sport Management  
University of Florida  
Fall 2018

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**Course Information**

Dates: August 22 – December 5, 2018  
Location: Online  
Website: <https://lss.at.ufl.edu/> (Canvas)

**Contact Information**

Instructor: John Egberts, M.S.  
Office: Florida Gym 186B Phone: 352-294-1685  
Email: Please email through Canvas and I will respond within 24 hours  
For urgent issues: [jegberts@hhp.ufl.edu](mailto:jegberts@hhp.ufl.edu)  
Office Hours: By appointment

**Course Description:**

This course is designed to introduce students to the U.S. legal system, including statutes, standards, and case law that establish legal responsibilities, rights, privileges, and controls related to the field of sport management. Students will study and analyze the law as it pertains to sport/physical activity programs, as well as examine how courts have interpreted and applied laws through case law.

**Course Objectives:**

By the end of this course, students will:

- Gain an understanding of the United States legal system, and be able to describe how laws are made and interpreted by the courts.
- Gain an understanding of and explain basic legal terminology and be able to conduct legal research.
- Be able to explain the role of law in sport and physical activity.
- Be provided with opportunities to study legislation, standards, and other legal concepts and subject areas related to sport and physical activity programs.
- Identify, analyze, and discuss legal issues faced in sport and physical activity programs.

**Required Textbooks:**

Spengler, J.O., Anderson, P., Connaughton, D.P., & Baker, T.A. (2016). *Introduction to Sport Law*. Champaign, IL: Human Kinetics.

Spengler, J.O., Connaughton, D.P., & Pittman, A. (2006). *Risk management in sport and recreation*. Champaign, IL: Human Kinetics.

## **Course Information and Policies**

Students should be aware that online learning is different than a traditional classroom experience and can present unique challenges, particularly to individuals who do not possess good time management skills. The online classroom is available to you 24 hours a day. Unlike traditional instructional settings in which each student gets the same class at a set time and day, the online setting gives students the opportunity to tailor class to their particular learning style. You should note, however, that this course is not completely self-paced. As listed on the class calendar, there are select times during which units and course materials will be available. You can view each unit's lectures at any time during the dates in which the unit is open. Please note that all quizzes, exams, assignments, discussion posts, etc. must be completed and turned in by the date listed on the syllabus. Quizzes and exams will only be available to you on the date(s) and time(s) listed on the syllabus. Since we will not have in-class meeting times for me to remind you of critical dates, it is essential to familiarize yourself with the course schedule and deadlines.

### **Make Up Policy:**

Assignments/Quizzes/Discussion posts/etc. will not be accepted late, and on some days more than one of these tasks may be due. If personal circumstances arise that may interfere with your ability to meet a deadline, please let me know as soon as possible before the due date. Please keep in mind only university authorized excuses will be accepted, and documentation must be provided. Requirements for make-up exams, assignments, and other work are consistent with university policies:  
<https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx>.

### **Communication and Questions:**

You may email me through Canvas with any questions or concerns you have, and I will attempt to respond to your emails within 24 hours (typically sooner). If you have an urgent issue, please call my office and/or email my personal UF email. For general course questions, I encourage you to check the **Course Questions Discussion Board** since other students may have the same question. If you do not find an answer, post your question using a descriptive subject line. All students are expected to follow rules of common courtesy in email messages, discussions, chats etc. Please review the [Netiquette Guide](#) (also on course website) for further review.

### **University Policy on Accommodating Students with Disabilities:**

Students with disabilities requesting accommodations should first register with the Disability Resource Center (352-392-8565, [www.dso.ufl.edu/drc/](http://www.dso.ufl.edu/drc/)) by providing appropriate documentation. Once registered, students will receive an accommodation letter which must be presented to the instructor when requesting accommodation. You must submit this documentation to your instructor prior to submitting assignments or taking the quizzes or exams. Accommodations are not retroactive, therefore, students should contact the DSR office as soon as possible in the term for which they are seeking accommodations.

## **Honor Code Policy**

***“We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honesty and integrity.”***

The following pledge will be either required or implied on all work:

“On my honor, I have neither given nor received unauthorized aid in doing this assignment”

It is the duty of the student to abide by all rules set forth in the UF Undergraduate Catalog. Students are responsible for reporting any circumstances, which may facilitate academic dishonesty. University Policy on Academic Misconduct: Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Student Honor Code at:

<https://www.dso.ufl.edu/sccr/process/student-conduct-honor-code>

## **Academic Integrity:**

All students must adhere to university regulations regarding academic integrity. Any form of academic dishonesty (including but not limited to any form of cheating, plagiarism, misrepresentation, etc.) will not be tolerated. Any student guilty of academic dishonesty will receive a failing grade (E) for the course, and the matter will be forwarded to the UF Office of Judicial Affairs.

## **Grade Appeal Policy:**

Should you want to contest a grade, you will have up to three (3) days after a grade has been posted to discuss your issue; after which the grade is final. Grades are based on a point scale and will not be rounded.

## **Course Evaluations:**

Students are expected to provide feedback on the quality of instruction in this course by completing online evaluations at <https://evaluations.ufl.edu>. Evaluations are typically open during the last few weeks of the semester, but students will be notified when they are open. Summary results of assessments are available to students at:

<https://evaluations.ufl.edu/results/>

## **Getting Help:**

The University of Florida recognizes that pursuit of an online degree requires just as much student support as pursuit of a traditional on-campus degree and, therefore, each online program is responsible for providing the same student support services to both students who are in residence on the main campus and those who are seeking an online degree through distance learning. The following links provide support services for students:

### **[Online Computing Help Desk- e-Learning Support Services](#)**

The UF Computing Help Desk is available to assist students with technical issues. If you have any issues accessing the online course material you must contact the UF Computing Help Desk immediately for assistance and obtain a case number. I will not accept late assignments, or change any course dates, due to technology difficulties if you do not have a case number prior to the due date for the assignment.

For issues with technical difficulties for E-learning in Canvas, please contact the UF Help Desk:

- [Learning-support@ufl.edu](mailto:Learning-support@ufl.edu)
- (352) 392-HELP - select option 2
- <https://lss.at.ufl.edu/help.shtml>

Other resources are available at <http://www.distance.ufl.edu/getting-help>

### **[Online Library Help Desk](#)**

The help desk is available to assist students with access to all of the UF Libraries resources.

### **[Disabilities Resource Center](#)**

Students requesting classroom accommodation must first register with the Dean of Students Office. The Dean of Students Office will provide documentation to the student who must then provide this documentation to the Instructor when requesting accommodation. If you have a physical, learning, sensory or psychological disability, please visit our Disabilities Resource Center.

### **[Counseling and Wellness Center](#)**

Would you like to speak to a counselor about a problem that you are having? Please visit our counseling and wellness center.

### **[Dean of Students Office](#)**

Do you need help resolving a conflict or would you like access to the student code of conduct? Visit the Dean of Students site

Your well-being is important to the University of Florida. The U Matter, We Care initiative is committed to creating a culture of care on our campus by encouraging members of our community to look out for one another and to reach out for help if a member of our community is in need. If you or a friend is in distress, please contact [umatter@ufl.edu](mailto:umatter@ufl.edu) so that the U Matter, We Care Team can reach out to the student in distress. A nighttime and weekend crisis counselor is available by phone at 352-392-1575. The U Matter, We Care Team can help connect students to the many other helping resources available including, but not limited to, Victim Advocates, Housing staff, and the Counseling and Wellness Center. Please remember that asking for help is a sign of strength. In case of emergency, call 9-1-1.

## **Course Format and Performance Evaluations**

This course is an online course, and all class sessions, assignments, and discussions will be delivered through E-Learning (Canvas). The Course is organized in 16 Weekly blocks with the following elements:

### **Lectures:**

Most weeks will have one or two brief lectures to provide an overview and key points of the topics covered that week. The primary purpose of the lecture is to introduce the topic and set the stage for your readings, assignments, and discussions where you'll further explore the topics.

### **Readings:**

Course readings will be assigned for each week, and you will be responsible for material in the readings, even if it is not covered in the lecture. Reading assignments will involve textbooks, case law, and other material. It is important to keep up with the reading so you can learn the key terms and concepts. The law has a language all its own and it takes some effort to learn it.

### **Quizzes:**

There will be eight (8) quizzes throughout the semester, which means that there is not a quiz each week. Quizzes will be due before you complete assignments and discussion posts in order to ensure students have an understanding and comprehension of the material from that week's lecture and readings. Quizzes will be due by 11:59pm on the day they are due, and students only get one opportunity to complete them. Quizzes are open notes. We are not responsible for computer or connection errors, so students must make sure the computer used is reliable and has a secure connection. I recommend taking quizzes earlier in the week to leave time to work through any potential issues. Should there be computer complication, please contact Learning Support Services and email me immediately detailing the issue. Be sure to include the LSS Request #.

### **Assignments and Risk Management Project:**

There will be 14 assignments throughout the semester. Some days/weeks, more than one assignment may be due, so it is crucial to read the course schedule outline (on the syllabus) carefully. All assignments must be submitted online (via Canvas) on the day they are due. Late assignments will NOT be accepted. Be advised that assignments will be submitted to UF's *TurnItin.com* program (utilized to detect plagiarism and other forms of academic dishonesty). Since assignments may require more time than others, I recommend you read the assignment instructions early in the week so you can schedule time accordingly. The Risk Management Project is a larger assignment and will be done over the course of a few weeks (project posted on course website). During that time, I have adjusted the workload accordingly, so do not put this project off until the last minute.

### **Exams:**

Two (2) exams will be given during the semester. Exam 1 will cover material from weeks 1-7, while exam 2 will only cover material from weeks 9-15. Exam content will be based on

material from both textbooks, PowerPoint slides/lectures, and other assigned readings (case law and assignments) from the weeks prior to that exam. NO MAKE-UP EXAMS will be given without an excused, approved absence. Exams are to be scheduled and taken with ProctorU. Directions for this process can be found on the Canvas course site. Please make sure to schedule exam appointments more than 72 hours from the exam date to avoid additional fees.

Any missed exam will result in a zero. If you have a conflict (that warrants a make-up) with the exam dates or times, you must e-mail the course instructor through Canvas or at [jegberts@hhp.ufl.edu](mailto:jegberts@hhp.ufl.edu) *at least seven days prior* to the exam to request a possible make-up time and date. Please provide specific information for your request. Make-ups will only be given for very rare, extenuating circumstances. In the event of an emergency (medical, death in family, etc.), contact the course instructor as soon as possible prior to the exam. Documentation of the emergency will be required.

**Discussion Questions and Discussion Boards:**

Students will take part in seven (7) graded discussions during the semester. Similar to quizzes, there will not be a discussion each week. Students will be put into groups (dependent on the size of the class) and required to post an Initial Post based on the instructions/subject matter, but must also post subsequent posts/responses to their group member's posts. Weeks 2, 3, 7, 9, 11, and 13 will operate in this manner (Initial post and subsequent response posts). Week 5 discussion will only require an Initial post as a group. Points will be given for your initial post AND your responses to group members. Posts should be well-thought, on-time, and supported by examples and concepts learned each week. You can respond to your group members with ideas, questions, or your view on their posts. While personal opinion can be used in posts, it is a main focus for you to use what you've learned in the course to support your responses. You may have strong views/opinions on some topics we'll discuss in this course, but it is essential to show respect when interacting with others through communication and discussion. As stated before, all students are expected to follow rules of common courtesy in email messages, discussions, chats etc. Please review the [Netiquette Guide](#) (also posted on course website) for further review.

**Grading & Point Distribution:**

There are **437** total points for the class based on the following:

<b>Quizzes</b>	8 x 10 points each	80 points
<b>Initial Discussion Posts</b>	7 x 5 points each	35 points
<b>Response Discussion Posts</b>	7 x 6 points each	42 points
<b>Risk Mgmt. Project</b>		40 points
<b>Exams</b>	2 x 50 points each	100 points
<b>Assignments*</b>	13 Assignments	140 points
<b>Total</b>		<b>437 points</b>

\*All assignments will be worth 10 points except week 4 and 9 (one of the two assignments due those weeks will be worth 5pts each)

**Grading Scale:**

<b>A</b>	<b>=</b>	<b>93-100%</b>
<b>A-</b>	<b>=</b>	<b>90-92.9%</b>
<b>B+</b>	<b>=</b>	<b>87-89.9%</b>
<b>B</b>	<b>=</b>	<b>83-86.9%</b>
<b>B-</b>	<b>=</b>	<b>80-82.9%</b>
<b>C+</b>	<b>=</b>	<b>77-79.9%</b>
<b>C</b>	<b>=</b>	<b>73-76.9%</b>
<b>C-</b>	<b>=</b>	<b>70-72.9%</b>
<b>D+</b>	<b>=</b>	<b>67-69.9%</b>
<b>D</b>	<b>=</b>	<b>60-66.9%</b>
<b>E</b>	<b>=</b>	<b>Below 60%</b>

**Tentative Course Outline**

<b>Week</b>	<b>Dates</b>	<b>Day(s) of Week</b>	<b>To Do Items</b>
Week 1 Welcome 8/20-8/26	8/20-8/26	Monday-Sunday	Watch Welcome Lecture Read the Syllabus
	8/24-8/26	Friday-Sunday	Syllabus Quiz due by Sunday at 11:59pm
Week 2 US Legal System & Legal Research 8/27-9/2	8/27-8/29	Monday-Wednesday	Watch U.S Legal System Lecture Watch Legal Research Lecture Read Assigned Readings Review Discussion Topic/Question(s) & prepare initial post
	8/29	Wednesday	Quiz due by <b>11:59pm</b>
	8/30	Thursday	Initial Discussion Post due by <b>6pm</b>
	8/30-9/2	Thursday-Sunday	Discussion Responses to Group Members due Sunday by <b>11:59pm</b>
Week 3 Negligence 9/3-9/9	9/3-9/5	Monday-Wednesday	Watch Tort Law Lecture Watch Standards, Supervision, and Transportation Lecture Read Assigned Readings Review Discussion Topic/Question(s) & prepare initial post
	9/5	Wednesday	Quiz due by <b>11:59pm</b>
	9/6	Thursday	Initial Discussion Post due by <b>6pm</b>

	9/6-9/9	Thursday-Sunday	Discussion Responses to Group Members due Sunday by <b>11:59pm</b>
Week 4 Defenses to Negligence 9/10-9/16	9/10-9/12	Monday-Wednesday	Watch Defenses to Negligence Lecture Read Assigned Readings Locate & read the legal case <i>Gunther v. Charlotte Baseball, Inc.</i> , 854 F. Supp 424 (1994) & begin working on case brief Identify potential facilities for Risk Mgmt Project
	9/14	Friday	<i>Gunther v. Charlotte Baseball, Inc.</i> , Case Brief due by <b>11:59pm</b>
	9/14	Friday	Submit 3 potential facilities for Risk Mgmt Project due by <b>11:59pm</b>
	9/16	Sunday	Waivers/Release of Liability Assignment due by <b>11:59pm</b>
Week 5 Risk Management Part 1 9/17-9/23	9/17-9/19	Monday-Wednesday	Watch Risk Management Lecture Watch Emergency Action Plans Read Assigned Readings Locate & read the legal case <i>Kleinknecht v. Gettysburg College</i> 989 F.2d 1360 (1993) & begin working on case brief Review Discussion Topic/Question(s) & prepare post *Visit facility and begin working on RM project
	9/21	Friday	<i>Kleinknecht v. Gettysburg College</i> Case Brief due by <b>11:59pm</b>
	9/23	Sunday	Discussion post due Sunday by <b>11:59pm</b>
Week 6 Risk Management Part 2 9/24-9/30	9/24-9/26	Monday-Wednesday	Watch HRI, Lightning, and SCA lecture Read Assigned Readings *Visit facility and begin working on RM project
	9/26	Wednesday	Quiz due <b>11:59pm</b>
	9/24-9/30	Monday-Sunday	Locate & read the legal cases <i>Maussner v Atlantic City Country Club</i> , 691 A.2d 826 (1997) & <i>Gehling v. St. George's University School of Medicine</i> , 705 F. Supp 761 (1989) & begin working on case briefs
	9/30	Sunday	<i>Maussner v Atlantic City Country Club</i> & <i>Gehling v. St. George's University School of Medicine</i> case briefs due <b>11:59pm</b>
Week 7 Product Liability & Intentional Torts 10/1-10/7	10/1-10/3	Monday-Wednesday	Watch Product Liability Lecture Read Assigned Readings Review Discussion Topic/Question(s) & prepare post *Visit facility and work on RM project *Prepare for Exam I



	10/3	Wednesday	Quiz due <b>11:59pm</b>
	10/4	Thursday	Initial Discussion Post due by <b>6pm</b>
	10/4-10/7	Thursday-Sunday	Discussion Responses to Group Members due Sunday by <b>11:59pm</b> *Prepare for Exam I
	10/7	Sunday	Product Liability Assignment due Sunday by <b>11:59pm</b>
<b>Week 8</b>			
Exam 1 & Risk Management Project Due 10/8-10/14	10/8	Monday	Finish preparing for exam
	10/9-10/10	Tuesday-Wednesday	Exam 1 October 9 (opens at 5am) - October 10 due Wednesday by <b>11:59pm</b>
	10/14	Sunday	<b>Risk Mgmt Project due by 11:59pm</b>
<b>Week 9</b>			
Constitutional Law Part 1 10/15-10/21	10/15-10/17	Monday-Wednesday	Watch Due Process & EPC Lecture Watch First Amendment Lecture Read Assigned Readings Locate & read the legal case Borden v. School District of the Township East Brunswick 523 F.3d 153 (2008) & start working on the assignment Review Discussion Topic/Question(s) & prepare initial post
	10/17	Wednesday	Borden v. School District of the Township East Brunswick Assignment due by <b>11:59pm</b>
	10/18	Thursday	Initial Discussion Post due by <b>6pm</b>
	10/15-10/21	Monday-Sunday	Locate, read and summarize a Law Review article dealing with Constitutional Law issue in sport/physical activity due by Sunday at <b>11:59pm</b>
	10/18-10/21	Thursday-Sunday	Discussion Responses to Group Members due Sunday by <b>11:59pm</b>
<b>Week 10</b>			
Constitutional Law Part 2 & Federal Discrimination Law 10/22-10/28	10/22-10/24	Monday-Wednesday	Watch Fourth Amendment Lecture Watch Civil Rights Act Lecture Read Assigned Readings Review & start working on the Constitutional Law Case Summaries Assignment
	10/24	Wednesday	Quiz due <b>11:59pm</b>
	10/22-10/28	Monday-Sunday	Work on the Constitutional Law Case Summaries Assignment due Sunday by <b>11:59pm</b>
<b>Week 11</b>			
Anti-Discrimination Law 10/29-11/4	10/29-10/31	Monday-Wednesday	Watch Gender Equity Lecture Watch Disability Law Lecture Read Assigned Readings Read Anderson vs. Little League Baseball (text, pg. 150 or find full case on LexisNexis) & start working on assignment

			Review Discussion Topic/Question(s) & prepare initial post
	10/31	Wednesday	Anderson vs. Little League Baseball Assignment due 11:59pm
	11/1	Thursday	Initial Discussion Post due by <b>6pm</b>
	11/1-11/4	Thursday-Sunday	Discussion Responses to Group Members due Sunday by <b>11:59pm</b>
<b>Week 12</b> Contract Law & Agency Law 11/5-11/11	11/5-11/7	Monday-Wednesday	Watch Contract Law Lecture Read Assigned Readings
	11/7	Wednesday	Quiz due <b>11:59pm</b>
	11/5-11/11	Monday-Sunday	Locate and read the legal cases Due 11/15 11:59pm: Locate (using LexisNexis database) and read the following legal cases: Monson v. State, 901 P.2d 904 (1995) & Banks v. National Collegiate Athletic Association, 977 F.2d 1081 (1992) and work on case briefs
	11/11	Sunday	2 Case briefs due by <b>11:59pm</b>
<b>Week 13</b> Employment Law & Sexual Harassment 11/12-11/18	11/12-11/14	Monday-Wednesday	Watch Employment Law Lecture Read Assigned Readings Review Discussion Topic/Question(s) & prepare initial post Review & begin working on the EEOC Assignment
	11/15	Thursday	Initial Discussion Post due by <b>6pm</b>
	11/14-11/17	Wednesday-Saturday	Work on EEOC Assignment Discussion Responses to Group Members due by Sunday
	11/18	Sunday	EEOC Assignment due <b>11:59pm</b> Discussion Responses to Group Members due by <b>11:59pm</b>
<b>Week 14</b> Holiday Break 11/19-11/25	<b>No Assignments, Readings, or Lectures this week</b>		
<b>Week 15</b> Copyright, Patent, & Trademark Law 11/26-12/2	11/26-11/28	Monday-Wednesday	Read Assigned Readings Locate & read a Law Review article dealing with Intellectual Property Law issue (Copyright, Trademark, Patent, and Right to Publicity) in sport/physical activity for summary *Prepare for Exam II
	11/28	Wednesday	Quiz due <b>11:59pm</b>
	11/26-11/30	Monday-Friday	Work on Law Review summary dealing with Intellectual Property Law issue (Copyright,

			Trademark, Patent, and Right to Publicity) in sport/physical activity *Prepare for Exam II
	11/30	Friday	Law Review Article Summary due by <b>11:59pm</b>
Week 16 Exam 2 12/3-12/5	12/3	Monday	Finish preparing for Exam II
	12/4- 12/5	Tuesday-Wednesday	Exam II December 4 (opens at 6am)- December 5 due Wednesday by <b>11:59pm</b>

**Copyright Statement:**

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**Disclaimer:** This syllabus represents the tentative plans and objectives for the course. As we go through the semester, those plans may need to change to enhance the class learning opportunity. Such changes, communicated clearly, are not unusual and should be expected.