

# Legal Issues in Sport & Physical Activity Programs

SPM 4723 | Section 19146 | Fall 2020

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

Upon completion of this course students are expected to successfully:

- ✓ Analyze the US Legal system, in particular, the law-making processes, procedures and court’s interpretation thereof.
- ✓ Evaluate the role of law in sport and its relationship with sport and physical activity programs
- ✓ Research and analyze legislation, standards, concepts, and other subject areas related to legal issues in sport and physical activity programs
- ✓ Create a partnership proposal addressing partner’s objectives.
- ✓ Research, analyze and investigate legal issues faced in sport and physical activity programs

## Instructor

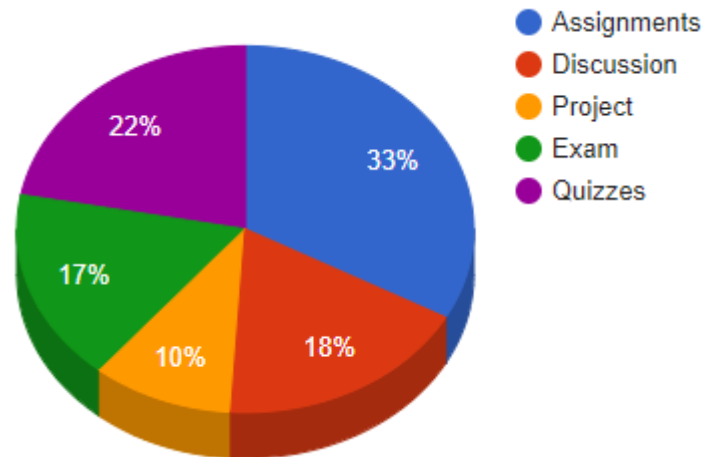
**Dan Connaughton, Ed.D**

Full Professor

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## Course Requirements

- 22% - 5 Module Quizzes
- 33% - Course Assignments
- 10% - Risk Management Project
- 18% - Discussion Boards
- 17% - Legal Issues in Sport Final Course Assessment



## Grading Standards

A	= 100-93	C(S)	= 76.99-73
A-	= 92.99-90	C-(U)	= 72.99-70
B+	= 89.99-87	D+	= 69.99-67
B	= 86.99-83	D	= 66.99-63
B-	= 82.99-80	D-	= 62.99-60
C+	= 79.99-77	E	= 59.99-0

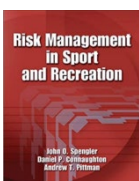
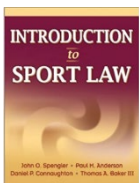
See current UF Grading Policies for further details:

<https://catalog.ufl.edu/ugrad/current/regulations/info/grades.aspx>

## Text & Reading Material

- Spengler, J.O., Anderson, P., Connaughton, D.P., & Baker, T.A. (2016). *Introduction to Sport Law (2<sup>nd</sup> ed.)*. Champaign, IL: Human Kinetics.
- Spengler, J.O., Connaughton, D.P., & Pittman, A. (2006). *Risk management in sport and recreation*. Champaign, IL: Human Kinetics.

Additional Readings posted to Canvas.



## Course Schedule

Module	Week	Assignment	Due Date	Points
<b>Module 1</b>	1-2	Student Introductory Video	September 8	10
		Syllabus Quiz	September 9	5
	Introduction to US Legal System and Legal Research	2-3	Quiz – US Legal System and Legal Research	September 11
In today's litigious society, it is important that sport and physical activity administrators have an understanding of the law. Students will learn about the US legal system, sources of law, court systems/structure, tools available for legal research, & different types of law.		Discussion of Current Legal Issue in Sport/Physical Activity Programs	1 <sup>st</sup> Post: September 15 Responses: September 18	11
<b>Module 2</b>	4	Discussion of Negligence	1 <sup>st</sup> Post: September 22 Responses: September 25	11
		Select Risk Management facilities for project.	September 25	5
	5	Gunther v. Charlotte Baseball, Inc. Case Brief	September 29	10
		Waivers/Release of Liability Assignment	October 1	10
	6	Discussion of Hazing	1 <sup>st</sup> Post: October 6 Responses: October 9	11
		Product Liability Article	October 9	10
		Module Quiz	October 12	20
<b>Module 3</b>	7	Kleinknecht v. Gettysburg College Case Brief	October 14	10
		Discussion of Risk Identification	October 16	11
	8	Maussner v Atlantic City Country Club Case Brief	October 20	20
		Gehling v. St. George's University School of Medicine Case Brief		
	8-9	Module Quiz	October 22	20
		Risk Management Project	October 27	40
Mid-Course Survey	October 27	N/A		
<b>Module 4</b>	9 - 10	Submit first page of Borden Case assignment	October 29	5
		Discussion of Borden case	1 <sup>st</sup> Post: October 30 Responses: November 3	11
		Summary and reaction of Constitutional Law Review assignment	November 5	10
	10 - 11	Summaries of Constitutional Law cases (cases given)	November 10	10
	11 - 12	Module Quiz	November 12	20
		Discussion of Gender Equity	1 <sup>st</sup> Post: November 13 Responses: November 16	11
Disability Law hypothetical scenario assignment		November 17	10	
<b>Module 5</b>	12	Monson v. State Case Brief & Banks v. National Collegiate Athletic Association Case Brief	November 20	20
		Discussion of Sexual Harassment	1 <sup>st</sup> Post: November 20 Responses: November 23	11
	13 - 14	UF Break	Nov 24-27	
		EEOC article summary and reaction assignment	December 1	10
		Module Quiz	December 3	20
14 - 15	Summary and reaction of Intellectual Property Law Review assignment	December 8	10	
<b>Module 6</b>	15 - 16	Course Assessment (Exam)	December 14	75
Course Assessment				

## Course Requirements

The assignments will be used to assess the student's academic standing in this course. **Late assignments will not be accepted for credit unless arrangements have been made with the instructor prior to the due date for that particular assignment.** Failure to make prior arrangements may result in rejection of work submitted late as rescheduling/accepting assignments is at the discretion of the instructor. Requirements for class attendance and make-up exams, assignments, and other work are consistent with university policies: <https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx>.

### Module Quizzes: 22%

Each module has a quiz that will cover information learned in that module. Quizzes are open book and notes, but will be timed. 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 before the due date to leave time to work through any potential issues. Should there be computer complication, please contact UF Help Desk and email me immediately detailing the issue. Be sure to include the Help Desk request #.

### Course Assignments: 33%

Some days/weeks, more than one assignment may be due, so it is crucial to read the course schedule and due dates carefully. All assignments must be submitted online 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. Assignments will typically be graded within five business days.

### Risk Management Project: 10%

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.

### Discussion Boards: 18%

Similar to assignments, there may 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. 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 important information.

### Legal Issues in Sport Final Course Assessment: 17%

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 the exam. NO MAKE-UP EXAMS will be given without an excused, approved absence arranged ahead of time. Exams are to be scheduled and taken with HonorLock. 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 issues/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 [danc@hhp.ufl.edu](mailto:danc@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.

## **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 and are due. You can view each unit's lectures at any time during the dates in which that specific unit is open. Please note that all quizzes, exams, assignments, discussion posts, etc. must be completed and submitted by the due 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, deadlines, and due dates.

**Note:** Google Chrome is the preferred browser when utilizing Canvas for this course.

### **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:**

Students are responsible for getting a University of Florida email account (e.g., john.doe@ufl.edu) and should use this email for all university related correspondence – The instructor may not read emails from or send emails to any non-UF email addresses (e.g., john.doe@hotmail.com). Email subject should start with “SPM 4723 – First name, Last name - ...” Email use does not relieve students from the responsibility of confirming the communication with the instructor. Always sign your email – don't make the instructor guess from whom the email was sent. The instructor will answer your email within two business days, when possible.

You may email me through the course site with any questions or concerns you have, and I will attempt to respond to your emails within 48 hours (typically sooner). If you have an urgent issue, please call my office and/or email my personal UF email, < [danc@hhp.ufl.edu](mailto:danc@hhp.ufl.edu) >.

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 important information.

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

Students with disabilities requesting accommodations should first register with the Disability Resource (DSR) 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://sccr.dso.ufl.edu/policies/student-honor-code-student-conduct-code/>



**Honorlock Quiz and Exam Proctoring Information:**

Honorlock will proctor your quizzes and exam this semester. Honorlock is an online proctoring service that allows you to take your exam from the comfort of your home. You DO NOT need to create an account, download software or schedule an appointment in advance. Honorlock is available 24/7 and all that is needed is a computer, a working webcam, and a stable Internet connection.

To get started, you will need Google Chrome and to download the Honorlock Chrome Extension. You can download the extension

at [www.honorlock.com/extension/install](http://www.honorlock.com/extension/install).

When you are ready to test, log into Canvas/E-Learning, go to your course, and click on your exam. Clicking Launch Proctoring will begin the Honorlock authentication process, where you will take a picture of yourself, show your ID, and complete a scan of your room. Honorlock will be recording your exam session by webcam as well as recording your screen. Honorlock also has an integrity algorithm that can detect search-engine use, so please do not attempt to search for answers, even if it's on a secondary device.

Honorlock support is available 24/7/365. If you encounter any issues, you may contact us by live chat, phone (844-243-2500), and/or email ([support@honorlock.com](mailto:support@honorlock.com)).

**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 Student Affairs and the Dean of Students.

**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 contact me and discuss your issue; after which the grade is final. Grades are based on a point scale and will not be rounded.

**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 in E-learning, please contact the UF Help Desk:

[helpdesk@ufl.edu](mailto:helpdesk@ufl.edu)

(352) 392-4357

<https://elearning.ufl.edu/student-help-faqs/>

Other resources are available at: <https://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.

**U Matter, We Care** - 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.

**Copyright Statement:**

The materials used in this course are copyrighted. The content presented is the property of UF and may not be duplicated in any format without permission from the College of Health and Human Performance and UF, and may not be used for any commercial purposes.

Content includes but is not limited to syllabi, videos, slides, quizzes, exams, lab problems, in-class materials, review sheets, and additional problem sets. Because these materials are copyrighted, you do not have the right to copy or distribute the course materials, unless permission is expressly granted. Students violating this policy may be subject to disciplinary action under the UF Conduct Code.

**Disclaimer:** This syllabus represents the objectives and tentative plans for the course. As we go through the semester, those plans may need to change to enhance the class learning opportunity. Such changes, will be communicated clearly, are not unusual, and should be expected. Finally, no information provided in this class should be taken as specific legal advice.