

Legal Issues in Sport and Physical Activity Programs

SPM 4723

Department of Sport Management

University of Florida

Fall 2024

Course Information

Class Dates: Aug 22, 2024 – Dec 4, 2024, (Exam 3 - backup 12/9/24)

Class Location: Tuesdays – Periods 2-3 (8:30-10:25am) – FLG 210

Thursdays – Period 3 (9:35-10:25am) – FLG 210

Course Website: <https://elearning.ufl.edu/>

Contact Information

Instructor: Dr. Dan Connaughton, Ed.D., Professor, Department of Sport Management

Office: Florida Gym 325B

Email: Email through Canvas and I will typically respond within 48 hours

Phone: Office 352-294-1600

Hours: Thursdays (10:35-11:35am), or by appointment (virtual or in-person/office)

Co-Instructor: Dr. David Lucier, Ph.D.

Director of Programs & Services, J.W. Reitz Union

Office: 1040 Reitz Union

Email: Email through Canvas and I will typically respond within 48 hours

Phone: (352) 273-0534

Office Hours: By appointment, virtual or in-person

Course Description:

This course is designed to introduce students to the U.S. legal system, 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.

Course Objectives:

At the completion of this course, students will be expected to:

- Understand the basics of the U.S. legal system,
- Describe the role of law and its relationship with sport and physical activity programs,
- Describe legislation, standards, concepts, and other issues related to legal aspects common to most sport and physical activity programs, and
- Conduct research, analyze, and further explore legal issues related to sport and physical activity programs.

Required Textbook:

Spengler, J.O., Anderson, P., Connaughton, D.P., & Baker, T.A. (2023). *Introduction to Sport Law* (3rd ed.). Champaign, IL: Human Kinetics.

Recommended (optional) Textbook:

Spengler, J.O., Connaughton, D.P., & Pittman, A. (2006). *Risk Management in Sport and Recreation*. Champaign, IL: Human Kinetics.

Course Information and Policies

Please note that all exams, assignments, projects, etc. must be completed and submitted by the time (EST) and due date provided (on course calendar/Canvas site). Technology and/or Internet-related issues will not be accepted as an excuse for late or missing assignments/exams. Exams will only be available to you on the date(s) and time(s) provided on the course website. It is, therefore, essential to familiarize yourself with the course schedule, deadlines, and due dates.

Make Up Policy:

On some days more than one task (i.e., assignment) 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. Extensions for assignments will not be accepted unless arrangements have been made with the instructor prior to, or as soon as possible after, the due date for that particular assignment. Failure to make prior arrangements may result in rejection of work submitted late as rescheduling/accepting late assignments is at the discretion of the instructor. 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>.

A student experiencing an illness should visit the UF Student Health Care Center or their preferred healthcare provider to seek medical advice and obtain documentation. If you have an illness, family emergency or death, please contact the Dean of Students Office (www.dso.ufl.edu) and follow the DSO Care Team procedures for documentation and submission of a request for make-up assignment (<https://care.dso.ufl.edu/instructor-notifications/>). The DSO will contact the instructor. Alternatively, in the case of illness and family emergency other forms of documentation such as a medical appointment notice or funeral notice are acceptable. For UF-related excused absences such as athletics and conference attendances, emails and letters from UAA officials and other academic supervisors are acceptable.

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 at least three days prior to the exam to request a possible make-up time and date. Please provide specific information for your request, and documentation will be required. Make-ups will only be given for very rare, extenuating circumstances. In the event of an urgent emergency (medical issue, death in immediate family, etc.), contact the course instructor as soon as possible prior to/after the exam. Documentation of the emergency will be required.

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.

Professional behaviors are expected from all students. This includes respect and consideration for the ideas and beliefs expressed by all students. It is important for students to practice civil discourse as uncomfortable or challenging topics unfold in the classroom or online. Please use respectful language in-person and through email correspondence.

People learn best when they are encouraged to ask questions and express their diverse opinions on course content which may include images, texts, data, or theories from many fields. This is especially true in courses that deal with provocative or contemporary issues. UF offers many such courses, in which students encounter concepts of race, color, sex, and/or national origin. We teach these important issues because understanding them is essential for anyone who seeks to make economic, cultural, and societal contributions to today's complex world. With this in mind, we do not limit access to, or classroom discussion of, ideas and opinions-including those that some may find uncomfortable, unwelcome, disagreeable, or even offensive. In response to challenging material, students and instructors are encouraged to ask honest questions and thoughtfully engage one another's ideas. But hostility, disruptive and disrespectful behavior, and provocation for provocation's sake have no place in a classroom; reasonable people disagree reasonably. These guidelines can help instructors and students as they work together to fulfill the mission of the University of Florida, which includes the exploration of intellectual boundaries, the creation of new knowledge, and the pursuit of new ideas.

Email me through the Canvas 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, and I have not responded via Canvas, please call my office (leave a detailed message and a return phone number) as well as sending an email via Canvas.

Also, if you have questions, or are having issues or struggling, with any aspect of this course, contact the instructor as soon as possible.

Academic Integrity & UF Honor Code Policy:

UF students are bound by The Honor Pledge which states, "We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honor and integrity by abiding by the Honor Code. On all work submitted for credit by students at the University of Florida, the following pledge is either required or implied: "On my honor, I have neither given nor received unauthorized aid in doing this assignment." The Conduct Code specifies a number of behaviors that are in violation of this code and the possible sanctions. If you have any questions or concerns, please consult with the instructor in this class.

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. Academic honesty and integrity are fundamental values of the University community. Students should read & understand the UF Student Honor Code at: <https://sccr.dso.ufl.edu/policies/student-honor-code-student-conduct-code/>

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. Furthermore, you are obliged to report any condition that facilitates academic misconduct to the instructor. If you have any questions or concerns, please consult the instructor. Any student guilty of academic dishonesty will be sanctioned, including up to receiving a failing grade (E) for the course, and the matter will be forwarded to the UF Office Student Affairs and the Dean of Students.

TESTING WITH HONORLOCK – will be used for all exams (i.e., in or out-of-classroom exams)

Prior to test start, you will need the following:

- Government issued photo ID (or Student photo ID).
- Working camera and microphone.
- Stable internet connection.
- Google Chrome browser (<https://chrome.com>).

During the test: The online testing environment should mimic the ‘in class’ testing environment. The following guidelines apply:

- Testing Area:
 - Sit at a clean desk or table (not on a bed or couch).
 - Lighting in the room must be bright enough to be considered "daylight" quality. Overhead lighting is preferred; however, if overhead is not possible, the source of light should not be behind the student.
 - Clear your desk or table of ALL materials.
 - Make sure your laptop is fully charged, or keep the charger within arm’s reach, and you have a strong Internet connection before beginning.
- The following items/actions are not permitted:
 - No writing visible on desk, computer screen, or on walls. No books, PPT slides, notes, scratch paper, websites or Internet material, or any outside assistance of any kind is allowed.
 - No websites other than Canvas and the Honorlock proctoring extension can be used or open while taking a proctored exam.
 - Close all other programs and/or windows on the testing computer prior to logging into the proctored test environment.
 - Make sure music/televisions are not playing in the background.
 - Communication or receiving assistance from others is not permitted during a proctored assessment. Exceptions: contacting Honorlock support or UF’s help desk.
 - No other persons except the test-taker should be in the room during testing.
 - Using a phone or any other electronic device, other than your test-taking device, is not permitted.
 - Your face must remain visible, at all times, in the web camera during the entire duration of the exam.
 - Leaving the room during the testing period is not permitted.
 - You must not take the computer into another room to finish testing (exam must be completed in the same room the “Exam Environment View” is completed in).
 - Headphones, smart watches, or hats/caps/visors are not permitted.
 - Dual monitors are not permitted.
 - Copying, printing, or photographing any exam material is strictly prohibited.
- Questions? Contact Honorlock support at (844) 243-2500

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.

Course Evaluations:

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing online evaluations online via GatorEvals.

Guidance on how to give feedback in a professional and respectful manner is available at <https://gatorevals.afl.edu/students/>. Students will be notified when the evaluation period opens, and can complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students at <https://gatorevals.afl.edu/public-results/>

Getting Help:

The following provide support services for students:

[Online Computing Help Desk and 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 or via phone at: (352) 392-4357

Other resources are available at: <https://distance.ufl.edu/getting-help/>
<https://elearning.ufl.edu/student-help-faq>

[Disabilities Resource Center \(DRC\)](#)

Students requesting classroom accommodation must first register with the Dean of Students Office/DRC. The Dean of Students Office/DRC will provide documentation to the student who must then provide this documentation to the Instructor when requesting accommodation(s). You must submit this documentation to your instructor prior to submitting assignments or taking the quizzes or exams. If you have a physical, learning, sensory or psychological disability, please visit the DRC (352-392-8565; www.dso.ufl.edu/drc/).

[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.

Student Health Care Center: Call 352-392-1161 for 24/7 information to help you find the care you need, or visit the Student Health Care Center website.

University Police Department: Visit UF Police Department website or call 352- 392-1111 (or 9-1-1 for emergencies).

UF Health Shands Emergency Room / Trauma Center: For immediate medical care call 352-733-0111 or go to the emergency room at 1515 SW Archer Road, Gainesville, FL 32608; Visit the UF Health Emergency Room and Trauma Center website.

UMatter, 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 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 so 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 helpful resources 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 an emergency, call 9-1-1 immediately.

Course Requirements

Preparation for, and attendance at, all classes is expected. Professional behavior is expected at all times (in-class, email and online). Please be considerate to others by not talking during lectures. Likewise, turn off all cell phones, alarms, etc. prior to class. **Laptop computers, tablets, and/or phones are to be used for class purposes only (e.g., taking notes).** Those violating this policy will be asked to leave class as this often distracts your classmates and/or the instructor.

Numerically quantifiable performance on exams, assignments, and risk management projects will be the only criteria used for grade calculation. Extra credit work will not be provided.

You are expected to read all reading assignments, attend all classes, listen to lectures, actively participate in discussions, view AV materials presented, and take notes. Material from assignments, lectures, PowerPoint slides, guest and student presentations, films/videos, and readings may be included on of the exams. Should an exam, project, or presentation be scheduled just prior to a holiday or vacation day, the exam will be administered and your presentation/project will be expected as scheduled.

Course Format

Lectures:

Most weeks will have 2 lectures to provide an overview and key points of the topics covered that week. Lectures may also be provided virtually in lieu of meeting in the classroom. The primary purpose of the lectures is to introduce the topic and set the stage

for your readings, assignments, and class discussions where you'll further explore and learn about the topics. Abbreviated PowerPoint (PPT) slides will be available to you, prior to class, on the Canvas course site. The in-class lectures and PPT slides will provide you with the information missing on the abbreviated PPT slides, and will likely include additional and/or new/updated information not present on the abbreviated slides. If you miss class, ask a classmate for the notes as the instructor will not provide the notes/full slides.

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. The law has a language all its own and it takes some effort to learn it. It is important to keep up with the reading so you can learn the key terms and concepts, be better prepared for the exams, and contribute to class discussions.

Grading:

The final grade for this course is based on the following three major categories of tasks and assignments, each weighted differently and briefly described below:

Course Examinations: 74%

Each major section of the course has an exam that will cover information presented in that section. The three course exams will cover and be comprised of material from the lectures, readings, PPT slides, presentations, videos/films, in-class discussions, and/or assignments. Typical exam format will include multiple choice, true/false, fill-in-the-blank, and short answer questions. Exams may be administered online via the Canvas course website during the day/time the course typically meets in-person. All exams (whether in or out-of-classroom) are to be taken with HonorLock (designed to prevent academic dishonesty). Directions for this process can be found on the Canvas course site and on this syllabus. UF and the instructor are not responsible for computer or connection errors, so students must make sure the computer used is charged, reliable, and has a secure Internet connection. Should there be a computer complication, contact the UF Help Desk and email me immediately detailing the issue. Be sure to include the Help Desk request #.

Course Assignments: 16%

Some days/weeks, more than one assignment may be due, so it is crucial to follow the course website, calendar, and due dates carefully. All thirteen course assignments (max possible credit is 5 points per assignment) must be submitted online, by 11:59pm (EST-Eastern Standard Time), on the day they are due. As you will typically have several days to complete and submit them, late assignments will only be accepted up to 24 hours past the original due date and **all** will be penalized 20% for being late (i.e., from 1-minute late up to 24 hours late).

All assignments must be submitted to UF's *TurnItin.com* program (utilized to detect plagiarism and other forms of academic dishonesty). Assignments will typically be graded within 5 business days. Further information regarding the assignments will be provided in class and posted on the Canvas course site.

Assignments must be typed and double-spaced, using 12-point font, Times New Roman, and 1-inch margins. If applicable, upload assignments to CANVAS using Word and following APA

guidelines. See:

(https://owl.purdue.edu/owl/research_and_citation/apa_style/apa_formatting_and_style_guide/general_format.html). Points will be deducted if appropriate grammar, spelling, punctuation, and sentence structure are not used. Proofread all assignments before submitting and make sure to follow all instructions carefully for maximum possible points. Include citations if you are citing someone else's work.

- Technology problems are not acceptable excuses for late assignments or missed exams.
- Refer to the Course Schedule and/or Canvas site for assignment due dates.

Risk Management Project: 10%

The Risk Management (RM) Project is a larger assignment (max possible credit is 40 points) and will be done over the course of a few weeks (project information will be posted on course website). During that time, I have adjusted the workload accordingly, so do not put this project off until the last minute. Your selection of RM facilities for the final RM project is due, online, by 11:59pm (EST) on 9/12 (failure to do so will result in a grade penalty of 10 points on your RM project). The final RM project must be submitted online, by 11:59pm (EST), on the day it is due (10/9). Late RM projects will only be accepted 24 hours past the original due date and **all** will be penalized 20% for being late (i.e., from 1-minute late up to 24 hours late). Further information regarding the RM project will be provided in class and posted on the Canvas course site.

The table below provides an outline of all the course components.

Evaluation Components	Points Per Component	% of Total Grade
Course Assignments (13)	5 pts each = 65 pts	65/405= 16%
Exams (3)	100 pts each = 300 pts	300/405 = 74%
Risk Management Project	40 pts each = 40 pts	40/405 = 10%
	405 points possible	100%

Grading Scale:

- A = 93-100%**
- A- = 90-92.9%**
- B+ = 87-89.9%**
- B = 83-86.9%**
- B- = 80-82.9%**
- C+ = 77-79.9%**
- C = 73-76.9%**
- C- = 70-72.9%**
- D+ = 67-69.9%**
- D = 63-66.9%**
- D- = 60-62.9%**
- E = Below 60%**

Copyright/Recording 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 will be subject to disciplinary action under the UF Conduct Code.

Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor. A “class lecture” is an educational presentation intended to teach enrolled students about a inform or particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or lecturer during a class session.

Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code.

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Disclaimer: This syllabus represents the objectives and tentative plans/due dates for the course. As we go through the semester, those plans may need to change. Such changes, will be communicated clearly, are not unusual, and should be expected. The exam schedule may change due to pace of the class, unforeseen UF closure/instructor absence, etc. Also, no material provided in this class is to be taken as legal advice. Should you desire or need such advice, contact a local, qualified, and licensed attorney

See Tentative Course Outline, Assignment Due Dates, and Reading List below. See Canvas site for additional, updated information

TENTATIVE COURSE OUTLINE & READING LIST – Fall 2024

Week 1	August	22-23	Course Introduction -Read Ch. 1 - US Legal System
Week 2	August	26-30	-Read Ch. 1 - Legal Research -Assignment 1: Current legal issue in sport article Summary due 8/28 -Assignment 2: Personal video submission due 8/28
Week 3	Sept	2-6	-Mon., 9/2, Labor Day Holiday -Read Ch. 2 – Tort Law/Negligence -Read (RMSR – 2) EAP's -Read (RMSR – 5) Lightning Safety -Assignment 3: Case Brief: <i>Kleinknecht v. Gettysburg College</i> due 9/6
Week 4	Sept	9-13	-Read (RMSR - 6, 7) BBP, SCA/AED -Read (RMSR - 4) HRI -Assignment 4: Case Brief: <i>Maussner v Atlantic City Country Club</i> due 9/9 -Assignment 5: Case Brief: <i>Gehling v. St. George's University School of Medicine</i> due 9/11 - Assignment: Selection of facilities for RM project due 9/12
Week 5	Sept	16-20	- Defenses to Negligence - Ch. 2 -Read Ch. 3 – Risk Management -Read (RMSR – 1 & 9) - Managing Risk -Assignment 6: Waiver Review Assignment due 9/18
Week 6	Sept	23-27	-Product Liability - Ch. 2 -Assignment 7: Product Liability Article due 9/25 -Intentional Torts & Violence in Sport - Ch. 2
Week 7	Sept-Oct	30-4	-Exam 1 – Tues., 10/1 -Read Ch. 7 - Constitutional Law
Week 8	Oct	7-11	-Read Ch. 7 - Constitutional Law cont. -Risk Mgmt. Projects Due – Oct 9
Week 9	Oct	14-18	-Read (RMSR-8) Drug Testing Issues -Assignment 8: Summary & reaction to Con Law review article due 10/14 -Read Ch. 8 – Gender Equity -Fri., 10/18 – UF Homecoming Holiday
Week 10	Oct	21-25	-Read Ch. 8 – Gender Equity cont. -Read Ch. 6 - pgs. 141-145 – Discrimination Based on Disability -Assignment 9: Gender equity current legal issue summary due 10/21
Week 11	Oct/Nov	28-	-Disability Legislation cont. Ch. 6 - pgs.141-145 -Assignment 10: Disability Law hypothetical scenario assignment due 10/30

Week 12	Nov	4-8	- Exam 2 – Tues., 11/05 -Read Ch. 4 – Agency Law
Week 13	Nov	11-15	-Mon, 11/11 – Veterans Day Holiday -Ch. 5 – Read Contract Law - Assignment 11 : Case Brief: <i>Monson v. State</i> due 11/13 -Read Ch. 6 - Employment Law
Week 14	Nov	18-22	-Read Ch. 6 - Employment Law cont. - Assignment 12 : EEOC article summary and reaction assignment due 11/18 -Governing Bodies -Read Ch. 9 – Intellectual Property Law - Assignment 13 : Case Brief: <i>Banks v. NCAA</i> due 11/22
Week 15	Nov	25-29	- UF Thanksgiving Break
Week 16	Dec	2-4	- Exam 3 – Tues., 12/3
Week 17	Dec	9	- Backup for Exam 3 – 12/9, 3:00-5:00pm

NOTE: The above chapter readings appear in *Introduction to Sport Law* (3rd ed.).

The above chapter readings from *Risk Management in Sport and Recreation* (i.e., RMSR) appear in parentheses.