Legal Issues in Sport and Physical Activity

SPM 4723, Course No. 20097 Time: M 12:50-2:45; W 12:50-1:40 Location: FLG 280 Fall 2018

Instructor: Dr. Cyntrice Thomas Email: cthomas10@ufl.edu

Office: 186A FLG **Phone:** 352-294-1669

Office Hours: Mondays and Wednesdays 9:30am-11:30am; by appointment

Course Objectives

This course examines various areas of law and their application to recreational, collegiate and professional sports. We will emphasize the legal problems and issues faced by professionals in the sport and recreation industry today. Students will utilize critical and analytical thinking to develop a basic understanding of legal areas that impact these industries. Students will:

- Develop familiarity with legal terms, procedures, and issues affecting the delivery of sport services.
- Develop a familiarity and understanding of the judicial system in the United States as it applies to sports.
- Identify and discuss litigation and legislation affecting sport organizations.
- Discuss and develop strategies aimed at reducing the probability of injuries and lawsuits surrounding sport activities.

Required Textbooks

Spengler, J.O., et al. (2016). *Introduction to Sport Law*, 2nd Ed. Human Kinetics: Champaign, IL. ISBN-10:

Pittman, Andrew, et.al. (2016). *Case Studies in Sport Law*, 2nd Ed. Human Kinetics: Champaign, IL ISBN-13:

Course Policies

This course is primarily done in a combination of a lecture format, case study exercises and team-based learning that examine the application of relevant laws to issues in sports. Students are expected to arrive to class on time and behave in a manner that is respectful to the instructor and to fellow students. Please avoid the use of cell phones and restrict eating to outside of the classroom. Opinions held by other students should be respected in discussion, and conversations that do not contribute to the discussion should be held at minimum, if at all. Students are expected to have readings for each week done prior to class.

Class attendance is expected. Students will be informed of the due dates for projects and presentations well in advance. Therefore, extensions will not be given for assignments and late assignments will only be accepted for 24 hours after the due date and will receive partial

<u>credit.</u> Students are expected to make their presentations to the class during their designated class time. Make-up exams will not be offered and in-class activities, including quizzes, cannot be made up unless the student has an excused absence pursuant to the university policy cited above. The only exception is an excused absence consistent with the university policies https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx and appropriate documentation is required. It is the student's responsibility to make arrangements to make up an exam or missed assignment.

Course Grading

The final grade for this course is based on several categories of assignments each with different point values and listed below

Quizzes and Assessments

Throughout the semester several quizzes will be given to help students keep up with the readings. Each quiz will be given at the beginning of class. Students who arrive late to class, after the quiz has been handed out will not be able to take it. Assessments are a part of teambased learning and will consist of both individual and group assessments. I will drop your lowest grade among the quizzes and assessments.

Briefs*

You will have <u>four</u> cases to brief throughout the semester. During the second week of class, I will teach you how to brief a case. The purpose of the case briefs is to help students pull out the key components of a judicial decision and understand how courts interpret the law and arrive at their decisions. The due dates for each case brief are included on the schedule and are also listed below.

Brief #1: Lowe v. California League of Professional Baseball 65 Cal.Rptr.2d 105 (Cal. App. 4 Dist. 1997) due **Tuesday, September 11**th

Brief #2: Rodgers v. Georgia Tech Athletic Association 303 S.E.2d 467 (Ga. App. 1983) due **Tuesday, October 2**nd

Brief #3: Kelley v. Board of Trustees 35 F.3d 265 (7th Cir. 1994) due Tuesday, October 23rd

Brief #4: Association for Intercollegiate Athletics for Women v. NCAA 735 F.2d 577 (D.C. Cir. 1984) due **Tuesday, November 20**th

Exams

There will be 3 exams for this course. The exams are not cumulative but will cover all assigned reading up to each exam period. The format for the exams will be covered in class.

Projects and Papers*

Students will work in groups to research a case and develop an argument in favor *and* against the ruling in the case. Each group will give a presentation of their case to the class. Instructions regarding this project will follow.

The second major project for this course is an annotated bibliography. Student will work independently to collect and summarize <u>seven</u> law review articles concerning a specific legal topic in sports. Instructions regarding the annotated bibliography will follow.

Activities

Throughout the semester we will have several in-class activities and assignments. Student will work independently or in groups to complete assignments that will review and reinforce material covered in the course.

*Briefs and other writing assignments should be submitted in Turnitin via Canvas. If a student is deemed to have plagiarized, he or she will be given a zero for the assignment and under university policy I am required to report it as a violation of the Student Honor Code. Please be sure to properly cite all sources directly quoted and paraphrased in each assignment using the APA style. Citation style guides can be found on the libraries website. If you are unsure about how or whether to cite something, please ask the instructor for guidance.

Assignment	Total Points
Quizzes/Assessments (5) x 50 pts each	250
Exams (3) x 200 pts each	600
Case Briefs (4) x 50 pts each	200
Projects (2) x 200	400
Activities (4) x 25 pts each	100
Attendance Checks (10) x 10 pts	100
Total	1650

Grading Scale**

Total Points	Percent	Grade	Grade Points
1541-1650	93.4-100	Α	4.0
1485-1540	93.3-90.0	A-	3.67
1430-1484	86.7-89.9	B+	3.33
1376-1429	83.4-86.6	В	3.0
1320-1375	80.0-83.3	B-	2.67
1265-1319	76.7-79.9	C+	2.33
1211-1264	73.4-76.6	С	2.0
1155-1210	70.0-73.3	C-	1.67
1100-1154	66.7-69.9	D+	1.33
1046-1099	63.4-66.6	D	1.0

990-1045	60.0-63.3	D-	.67
0-989	0-59.9	Е	0

^{**}Do not ask the instructor questions regarding your grade. Rounding up is completely under the discretion of the instructor. If you want to challenge an assignment grade, please come to the professor with evidence from the textbook or case material to justify you grade change request.

Accommodations for Students with Disabilities

Students with disabilities requesting accommodations should first register with the Disability Resource Center (352-392-8565, 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. Students with disabilities should follow this procedure as early as possible in the semester.

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 two or three weeks of the semester, but students will be given specific times when they are open. Summary results of these assessments are available to students at https://evaluations.ufl.edu/results/

University Honesty 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 Honor Code (https://www.dso.ufl.edu/sccr/process/student-conducthonor-code/) specifies a number of behaviors that are in violation of this code and the possible sanctions. Furthermore, you are obligated to report any condition that facilitates academic misconduct to appropriate personnel. If you have any questions or concerns, please consult with the instructor or TAs in this class.

Counseling and Wellness

Contact information for the Counseling and Wellness Center: http://www.counseling.ufl.edu/cwc/Default.aspx, 392-1575; and the University Police Department: 392-1111 or 9-1-1 for emergencies.

Course Schedule

This schedule is a tentative outline of the reading, projects and assignments that will be covered throughout the semester. If there are changes or amendments to this schedule, you will be told well in advance of any assignments that may be due.

Date	Reading	Assignment
Week 1	Introduction	
August 22—24		
Week 2	Chapter 1	
August 27—31	Knight v. Jewett	
Week 3	Labor Day	Quiz #1
Sept. 3—7	Chapter 2	
Week 4	Chapter 2	Brief #1 Due 9/12
Sept. 10—14	Chapter 3 (TBL)	
Week 5	Chapter 4	
Sept. 17—21	Hilliard v. Black	
Week 6	LexisNexis	Exam 1 (Chapters 1-4)
Sept. 24—28	Exam 1	
Week 7	Chapter 5	Brief #2 Due 10/2
Oct. 1—5	Vanderbilt v. DiNardo	
Week 8	Chapter 6 (TBL)	
Oct. 8—12	Stanley v. Univ. of Southern Cal.	
Week 9	Chapter 7	Quiz #2
Oct. 15—19	NCAA v. Tarkanian	
Week 10	Chapter 8 (TBL)	Case Brief #3 due 10/23
Oct. 22—26	Jackson v. Birmingham Board of Ed.	
Week 11	Exam 2	Exam 2 (Chapters 5-8)
Oct. 29—Nov. 2	Chapter 9	
	Keller v. EA Sports	
Week 12	Presentations	Group Presentations Due
Nov. 5—9		11/5
Week 13	Veterans' Day	
Nov. 12—16	Chapter 10	
Week 14	Chapters 10	Quiz #3
Nov. 19—23	NCAA v. Board of Regents of the	Brief #4 Due 11/20
	Univ. of Oklahoma, et al.	
Week 15	Chapter 11	Annotated Bibliography Due
Nov. 26—30		11/29
Week 16	Course Wrap-up	
Dec. 2—5	Exam Review	
Thursday, Dec. 13	Final Exam 3:00-5:00	Exam 3 (Chapters 9-11)