
Legal Issues in Sport and Physical Activity Programs
SPM 4723 – Online Sections: 17200 & 25707
Department of Sport Management
University of Florida
Fall 2022

Course Information:

Dates: August 24 – December 16, 2022
Location: Online
Website: <https://elearning.ufl.edu/>

Contact Information:

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

Office: Florida Gym, 325B
Email: Please email through Canvas and I will respond within 48 hours,
when possible, often sooner.
Phone: (352) 294-1600
Office Hours: Online, 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:

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

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

Required Textbooks:

Spengler, J.O., Anderson, P., Connaughton, D.P., & Baker, T.A. (2023). *Introduction to Sport Law* (3rd ed.). 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 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 time (Eastern Standard Time, EST) and 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.

Make Up Policy:

Assignments/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. 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. 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>.

Any missed quiz/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 at least seven days prior to the exam to request a possible make-up time and date. Please provide specific information for your request. Documentation will be required. Make-ups will only be given for very rare, extenuating circumstances. In the event of an urgent 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.

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 behavior is expected at all times 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 (often sooner). If you have an urgent issue, and I haven't responded to your email through the Canvas course site, please call my office and/or email my personal UF email, < 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 and exhibit professional behavior and respect in all email messages, discussions, chats, etc.

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 regarding this policy or academic integrity, 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. 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/>

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. 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.

TESTING WITH HONORLOCK

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.
 - If prompted to do a room scan, be sure to include your work area. Make sure to do a complete 360-degree rotation of your room and then show your workspace. Partial scans and/or failure to show your workspace may be flagged during the proctoring review.
 - Make sure your laptop is fully charged, or keep the charger within arm's reach.
- The following items/actions are not permitted:
 - No writing visible on desk or on walls.
 - No websites other than Canvas and the Honorlock proctoring extension should 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 your institution'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.
 - Remain visible 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.
- 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.aa.ufl.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.aa.ufl.edu/public-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 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-faqs/>

[Online Library Help Desk](#)

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

[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. 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.

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 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.

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.

Disclaimers:

This syllabus represents the objectives and tentative plans 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. Also, no material provided in this class is, or should be taken as, legal advice. Should you desire or need such advice, contact a qualified and licensed attorney.

Course Format & Requirements

This course is an online course, and all class sessions, assignments, and discussions will be delivered through E-Learning. The course is organized into six modules that cover approximately 16 weeks according to the semester. Modules include 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 and learn about the topic(s).

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.

The final grade for this course is based on several categories of assignments each weighted differently and briefly described below (additional, specific info will be posted on course site):

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. UF and/or the professor are not responsible for computer or connection errors, so students must make sure the computer used is reliable and has a secure connection (well before you start the quiz). 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. Assignments are to 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 5 business days.

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 are deducted if appropriate grammar, spelling, punctuation, and sentence structure are not used. Proofread all assignments. 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 for assignment due dates.

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%

Some interactions for this course will emerge through online discussions with other students and the professor. Discussion boards will build on course readings. Discussion boards will involve students posting one response by specified days and times and two additional responses to two other students' posts by specified days and times.

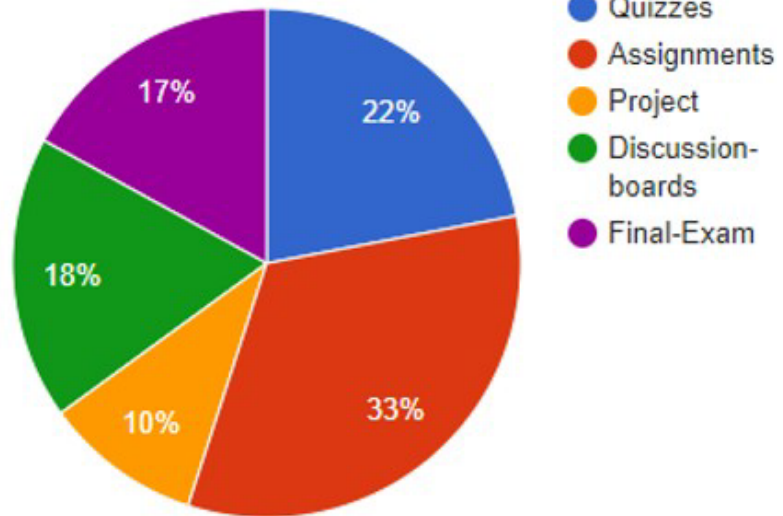
Similar to assignments, there may not be a discussion each week. Students will be put into groups (dependent on the size of the class) and required to post an Initial Post based on the instructions/subject matter, but must also post two subsequent posts/responses to their group member's posts. Points will be given for your initial post AND your two responses to group members. **Since your group members will need your initial post to make their subsequent posts/responses, late initial posts will result in 50% (at best) credit for the entire discussion assignment.** Posts should be well-thought out, 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. Each post should be between 100 to 200 words. 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 and professional behavior in all email messages, discussions, chats, etc.

Final Course Assessment: 17%

Exam content will be based on material from both textbooks, PowerPoint slides/lectures, and other assigned readings (e.g., case law and assignments) from the semester. NO MAKE-UP EXAMS will be given without an excused, approved absence arranged ahead of time, or only in accordance with UF policy. Exam is to be taken with HonorLock. Directions for this process can be found on the Canvas course site.

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	=	60-66.9%
E	=	Below 60%



Tips for Success

- Schedule "class times" for yourself. It is important to do the coursework on time each week.
- Read ALL of the material contained on the CANVAS site. There is a lot of helpful information that can save you time and help you meet the objectives of the course.
- Print the Course Schedule located in the Course Syllabus and check off things as you go.
- Ask for help or clarification of the material if you need it.
- Do not wait to ask questions! Waiting to ask a question might cause you to miss a due date or the instructor may not be able to assist.
- Do your work well before the due dates. Sometimes things happen. If your computer goes down when you are trying to submit an assignment, you will need time to troubleshoot the problem.
- To be extra safe, back up your work to an external hard drive, thumb drive, or through a cloud service.

See Tentative Course Schedule & Assignments with due dates below. Note: Required reading assignments are found on the Canvas course site.

Tentative Course Schedule – Fall 2022

Module	WK	Assignment	Due Date	Points	
Module 1 Introduction to US Legal System and Legal Research 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.	1-2	Student Introductory Video	September 1	10	
		Syllabus Quiz	September 2	5	
			Module 1 Quiz – US Legal Research	September 6	10
	2-3	Mon 9/5 - Labor Day			
		Discussion of Current Legal Issue in Sport/Physical Activity Programs	1 st Post: September 6 Responses: September 9	11	
Module 2 Tort Law and Negligence Tort law is a category of law where a civil wrong (not criminal) has been committed, such as conduct that is careless, negligent, or intentional that results in harm to a person or property. Understanding negligence, including defenses to negligence claims, is of critical importance to sport managers given the frequency of occurrence in the field. Product liability is liability for harm caused by a consumer product. While most think only the manufacturer or seller of the product may be liable, law extends liability down the chain of manufacturer, which includes any person or entity who made or distributed the product (e.g., coaches or organizations that provide equipment to athletes or individuals). An intentional tort is different from negligence in that it is harm to a person or property committed with intent. In sport/physical activity, intentional torts could include harm to officials, athletes, and spectators; threats; spreading rumors; etc.	4	Discussion of Negligence	1 st Post: September 13 Responses: September 16	11	
		Select Risk Management facilities for project	September 16	5	
	5	<i>Gunther v. Charlotte Baseball, Inc.</i> Case Brief	Sept. 21	10	
		Waivers/Release of Liability Assignment	September 23	10	
	6-7	Discussion of Hazing	1 st Post: Sept. 27 Responses: September 30	11	
		Product Liability Article	October 6	10	
UF Homecoming		Oct. 7	10		
	Module 2 Quiz	October 12	20		

<p style="text-align: center;">Module 3 Risk Management</p> <p>Sport and physical activity programs is an immense field with significant potential for injuries, risks, and financial losses.</p> <p>Practicing sound risk management will assist sport/physical activity administrators in making decisions to reduce risk to participants, spectators, staff, as well as the chance of lawsuits and subsequent liability.</p>	8	<i>Kleinknecht v. Gettysburg College</i> Case Brief	October 14	10
		Discussion of Risk Identification	October 14	11
	9	<i>Maussner v Atlantic City Country Club</i> Case Brief & <i>Gehling v. St. George's University School of Medicine</i> Case Brief	October 21	20
		Module 3 Quiz	October 25	20
		Risk Management Project	October 28	40
	10	Mid-Course Survey	October 28	N/A
<p style="text-align: center;">Module 4 Constitutional and Anti-Discrimination Law</p> <p>The U.S. Constitution provides protections and rights to all citizens. However, in most cases, the Constitution only applies to state actors (public/governmental agencies and organizations), and not private organizations (e.g., professional sport teams). In sport/physical activity programs, most Constitutional issues that arise include freedom of speech and religion, due process, equal protection, and unreasonable search and seizure. In addition to Constitutional protections, there are a number of federal laws that apply to both public and private organizations (e.g., protection of race, sex, religion, disabilities, etc.).</p>	11	Submit first page of <i>Borden</i> Case assignment	November 1	5
		Discussion of <i>Borden</i> case	1 st Post: Nov. 1 Responses: November 4	11
		Summary and reaction of Constitutional Law Review assignment	November 5	10
	12	Summaries of Constitutional Law cases (cases given)	November 10	10
		Veterans Day	November 11	
	12-13	Module 4 Quiz	November 15	20
		Discussion of Gender Equity	1 st Post: Nov. 15 Responses: Nov. 18	11
		Disability Law hypothetical scenario assignment	November 21	10

Module 5					
<p>Module 5 Contracts, Agency, Employment and Intellectual Property Law</p> <p>There are many types of agents in sport and physical activity. When one person/entity represents another person/entity in negotiations with a third party, they are acting as an agent. We often focus on athlete/player agents, but there are other types such as marketing, sponsor, and endorser agents.</p> <p>In sport/physical activities, there are many different types of contracts such as employment and coaching agreements, player contracts, endorsement agreements, tickets, and agent agreements. Since contracts are involved at every level of sport/physical activity, administrators must be aware of the principles and elements of a contract to avoid issues as well as damages from breach of contract claims.</p> <p>While many sports generate revenue from tickets, merchandise, and concessions, some revenue comes from intangible sources such as sale of team names/likeness, sponsorship, sale of merchandise with logos, and television contracts. Most intellectual property in sport is controlled by federal laws through trademark, copyright, right of publicity, and patent law.</p>	14	<i>Monson v. State</i> Case Brief & <i>Banks v. National Collegiate Athletic Association</i> Case Brief	November 22	20	
		UF Thanksgiving Break	Nov. 23-25		
	15	Discussion of Sexual Harassment	1st Post: November 29 Responses: December 2	11	
		EEOC article summary and reaction assignment	December 3	10	
	16	Module 5 Quiz	December 6	20	
		Summary and reaction of Intellectual Property Law Review assignment	December 7	10	
	Module 6				
	Course Assessment/Exam	16-17	Course Assessment (Exam)	December 14-15	75

