Legal Issues in Sport and Physical Activity

SPM 4723, Section 6382 Time: MWF 12:50-1:40 Location: FLG 280 Spring 2019

Instructor:Dr. Cyntrice ThomasEmail:cthomas10@ufl.eduOffice:186A FLGPhone:352-294-1669Office 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.
- Develop strategies aimed at reducing the probability of injuries and lawsuits surrounding sport activities.
- Evaluate and analyze judicial opinions in sport-related cases

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, or better yet, not 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 of their due dates. **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 credit. 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 or taken early, unless the student has an excused absence pursuant to the university policy cited below. The only exception is an excused absence consistent with the university policies

<u>https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx</u> 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 weighted differently 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 assessments as well as group 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: Friedman v. Houston Sport Association, 731 S.W.2d 572 (Tex. App. 1987) due Thursday, January 24th

Brief #2: University of Colorado v. Derdeyn, 863 P.2d 929 (Colo. 1993), due Thursday, February 21st

Brief #3: Jackson v. Birmingham Board of Education, 544 U.S. 167 (2005) due Thursday, March 28th

Brief #4: *Law v. NCAA*, 96 F.3d 1337 (10th Cir. 1996) due **Thursday, April 11th (Case can be found** on Canvas, not in the Case Studies book)

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 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. 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 library 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
1494-1600	93.4-100	А	4.0
1440-1493	93.3-90.0	A-	3.67
1387-1439	86.7-89.9	B+	3.33
1334-1386	83.4-86.6	В	3.0
1280-1333	80.0-83.3	В-	2.67
1227-1279	76.7-79.9	C+	2.33
1174-1226	73.4-76.6	С	2.0
1120-1173	70.0-73.3	C-	1.67
1067-1119	66.7-69.9	D+	1.33
1014-1066	63.4-66.6	D	1.0

960-1013	60.0-63.3	D-	.67
0-959	0-59.9	E	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, <u>http://www.dso.ufl.edu/drc/</u>)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 <u>https://evaluations.ufl.edu/</u>. 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 <u>https://evaluations.ufl.edu/results/</u>

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 (<u>https://www.dso.ufl.edu/sccr/process/student-conducthonor-code/</u>)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: <u>http://www.counseling.ufl.edu/cwc/Default.aspx</u>, 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	
January 7-11	Chapter 1	
Week 2	Chapter 2	Quiz #1
January 14-18	Nabozny v. Barnhill	
Week 3	MLK, Jr. Day (no class)	Brief #1 Due 1/24
January 21-25	Chapter 3 (TBL)	
	Bearman v. Univ. of Notre Dame	
Week 4	Chapter 4	
Jan. 28- Feb. 1	Walters v. Fullwood	
Week 5	Exam Review	Exam 1 (Chapters 1-4)
February 4-8	Exam 1	
Week 6	Chapter 5	
February 11-15	Vanderbilt Univ. v. DiNardo	
Week 7	Chapter 6 (TBL)	Quiz #2
February 18-22	Faragher v. City of Boca Raton	
	Chapter 7	
Week 8	Chapter 7	Brief #2 Due 2/28
Feb. 25- March 1	NCAA v. Tarkanian	
Week 9	Spring Break	
March 4-8		
Week 10	Chapter 7	
March 11-15	Vernonia School District v. Acton	
Week 11	Chapter 8 (TBL)	Brief #3 Due 3/21
March 18-22	Cohen v. Brown University	
Week 12	Exam 2	Exam 2 (Chapters 5-8)
March 25-29	Presentations	Group Presentations Due 3/27
Week 13	Chapters 9	
April 1-5	Boston Athletic Assoc. v. Sullivan	
Week 14	Chapter 10	Quiz #3
April 8-12	Flood v. Kuhn	Brief #4 Due 4/11
	NCAA v. Board of Regents	
Week 15	Chapter 11	Annotated Bibliography Due
April 15-19	Brown v. Pro Football	4/19
Week 16	Course Wrap Up	
April 22-24		

Monday, April 29	Final Exam 10:00-12:00	Exam 3 (Chapters 9-11)
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