Legal Issues in Sport and Physical Activity

SPM 4723, Section 6382 Time: MWF: 11:45-12:35 Location: FLG 210 Spring 2020

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

Office: 312 FLG Phone: 352-294-1669

Office Hours: Mondays and Wednesdays 9:00am-11:00am; also 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.
- Analyze and evaluate the application of the law in various sport context.

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. The use of cell phones is strictly prohibited and please 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 will be informed of the due dates for projects and presentations well in advance on the syllabus and Canvas. 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. 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 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 Expectations

My expectations for students:

- Attend class and come to class on time
- Complete weekly assigned readings before class
- Come to class prepared to participate and contribute to class discussions
- Pay attention and refrain from engaging in activity with computers and mobile devices that are do not pertain to the class
- Come to me if you are having problems with the class or material discussed in class

Your expectations for me???

Course Grading

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

"Pop" 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 and 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: Dilger v. Moyles, 63 Cal.Rptr.2d 591 (Cal. App. 1 Dist. 1997) due Thursday, January 30th

Brief #2: O'Brien v. Ohio State University, 2007 Ohio App. LEXIS 4316 due Thursday, February 27th

Brief #3: *Denis J. O'Connell High School v. The Virginia High School League,* 581 F.2d 81 (4th Cir. 1978) **due Thursday, March 19**th

Brief #4: Law v. NCAA, 134 F.3d 1010 (10th Cir. 1998) due Thursday, April 9th

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*

Throughout the semester, 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, unless otherwise instructed. If a student is deemed to have plagiarized, he or she can be given a zero for the assignment and can also result in a report to the Student Conduct Committee. 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's 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 your grade change request.

Course Communication

All communication for the course will be disseminated either through Canvas Course messaging or through your University of Florida email address. Please make sure that when you email me, that you are professional and that use your school email address and include the following information:

Name

Course

Respectful salutation (greeting: ex. Hello, Dear) and valediction (closing: Sincerely, Best)

I will only email you at your university email address so you should be checking that regularly.

Accommodations for Students with Disabilities

Students with disabilities requesting accommodations should first register with the Disability Resource Center (352-392-8565, https://disability.ufl.edu/) 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 in this class are participating in the pilot evaluation of the new course evaluation system called GatorEvals. The new evaluation system is designed to be more informative to instructors so that teaching effectiveness is enhanced and to be more seamlessly linked to UF's CANVAS learning management system. Students can complete their evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via https://ufl.bluera.com/ufl/. Thank you for serving as a partner in this important effort.

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://sccr.dso.ufl.edu/policies/student-honor-code-student-conduct-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.

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 https://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.

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 6—10	Chapter 1	
Week 2	Chapter 1	TBL Activity
January 13—17	Sanders v. Kuna Joint School Dist.	
Week 3	Chapter 2	Quiz #1
January 20—24	Knight v. Jewett	
Week 4	Chapter 2	Case Brief #1 Due 1/30
January 27—31	Chapter 3 (TBL)	
	Friedman v. Houston Sports Assoc.	
Week 5	Chapter 4	
February 3—7	Hilliard v. Black	
Week 6	Exam Review	Exam 1 (Chapters 1-4)
February 10—14	Exam 1	
Week 7	Chapter 5	
February 17—21	Vanderbilt v. DiNardo	
Week 8	Chapter 6 (TBL)	Case Brief #2 due 2/27
February 24—28	Stanley v. Univ. of Southern Calif.	
	Chapter 7	
Week 9	Spring Break	
March 2—6		
Week 10	Chapter 7	
March 9—13	Tarkanian v. NCAA	
	Vernonia School District v. Acton	
Week 11	Chapter 8 (TBL)	Case Brief #3 due 3/19
March 16—20	Kelley v. Board of Trustees	Quiz #2
	Exam Review	
Week 12	Exam 2	Exam 2 (Chapters 5-8)
March 23—27	Chapter 9	
	Keller v. EA Sports	
Week 13	Chapter 10	
March 30—April 3	Flood v. Kuhn	
	NCAA v. Board of Regents	
Week 14	Chapter 11	Case Brief #4 due 4/9
April 6-10	Mackey v. NFL	
Week 15	Case Presentations	
April 13—17		

Week 16 April 20—22	Course Wrap Up	Annotated Bibliography Due
Thursday, April 30	Final 10:00am-12:00pm	Exam 3 (Chapters 9-11)