

**DEPARTMENT OF TOURISM, RECREATION AND SPORT MANAGEMENT
COLLEGE OF HEALTH AND HUMAN PERFORMANCE
UNIVERSITY OF FLORIDA**

LEI 4501: Legal Aspects of Recreation, Parks and Tourism (3 Credits)

Course Syllabus, Fall 2009

Professor: Dr. John O. Spengler

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Office Location: Third Floor FLG

Office Hours: 4th Period: MTWTh

Teaching Assistant: Mary Waechter

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Office Hours: Third Period, MWF

Required Text:

Spengler, J.O., Connaughton, D.P. & Pittman, A. (2006). *Risk management in sport and recreation*. Champaign, Ill: Human Kinetics Publishing Co. (www.hkusa.com)

Recommended Text:

Hronek, B. & Spengler, J.O. (2007). *Legal liability in recreation and sports*. 3d. ed., Champaign, IL: Sagamore Publishing Co. (www.sagamorepub.com)

Course Description: Concentrates on the legal aspects of recreation, parks and tourism to assist students to better understand the law as it pertains to their area of specialization and improve risk management practice.

Purpose of Course:

The course concentrates on legal issues relevant to recreation, park, and hospitality management. The course provides students with a basic understanding of the risk management process, negligence, intentional torts, employment law, contract law, and issues relevant to specialty areas. The goal of the course is to help students better understand the law as it pertains to their area of specialty and therefore better enable them to avoid or reduce the probability of litigation. The central theme for the course is recreation, parks, tourism and sports related; however, the legal theories discussed are applicable to a broad category of curricula.

Course Objectives:

1. Develop an understanding of legal foundations and key legal terms and concepts.
2. Develop an understanding of the important legal issues that are relevant to the field of leisure and recreation.
3. Learn how to research statutes and cases using computer assistance and printed material at the law library.
4. Learn how to read and apply the facts of legal cases involving recreational activities to various legal principles, and understand the legislative process and the impact of policy on the provision of leisure services.
5. Develop an understanding of risk management and its application to the management of various recreational programs and facilities.
6. Develop an understanding of professional, legal and regulatory standards relevant to recreation and demonstrate methods of compliance with these standards.
7. Understand the law as it applies to personnel, land management and human rights.
8. Learn how the trial process works and the importance of expert witnesses to cases involving recreational activities.
9. Improve your analytical thought process.

Course Requirements: Point Values (Total Points 400)

Participation: 50 Points (In-Class Assignments)

Case Brief: 10 Points

Project: 40 Points

Exam I: 100 points

Exam II: 100 points

Exam III: 100 points

Grading Scale:

360-400 points = A

320-359 points = B

280-319 points = C

240-279 points = D

239 and below points = E

****Note: There are no minus grades. Plus grades are 68-70%; 78-80%; and 88-90%.***

Requirements:

1. *Readings:* Course readings will be assigned throughout the semester. Reading assignments will involve text readings and legal case analysis. It is important to keep up with the reading so you can learn the terms and concepts. The law has a language all its own and it takes some effort to learn it. A case brief will be assigned the first week of the semester. You will be required to stand in front of the class and discuss one of your cases.
2. *Participation:* Participation will be graded through random, in-class assignments. You are responsible for the material and assignments presented in class. If you are absent when materials are distributed, it is your responsibility to obtain the information.
3. *Assignments and Projects.* Case briefs, projects and in-class assignments will account for 100 total points. The case brief will count 10 points toward your total grade. For this assignment, you brief and present a selected case to the class. In-class assignments (ICAs) will count 50 points toward your grade and will consist of a short narrative on a chosen topic during class. Each ICA will be worth at least 5 pts. You will receive one excused absence for a missed ICA. No credit will be given for additional missed ICAs. The project will be assigned at the midpoint of the semester. Project details will be provided in class. The point total for the project is 40 points.
4. *Exams:* Three exams will be given during the semester. Exam content will be based heavily on material from the lectures and associated readings. Each exam is cumulative and may contain material from any prior material covered in class. Each exam is valued at 100 points. NO MAKE-UP EXAMS will be given without an excused, approved absence, prior to the exam date.
5. *Cell Phones:* The policy on cell phones is as follows: On exam days: you will receive a zero for your exam if your cell phone rings during class, you speak or make any form of communication using your cell phone during an exam, or your cell phone is within your line of sight. On regular class days, you will lose 10 points from your final grade for each time: your cell phone rings during class, you speak on your cell phone or make any other form of communication, or play games using your cell phone. Penalties will begin with the first offense- there are no warnings.
6. *Academic Integrity:* All students must adhere to university regulations regarding academic integrity. All violations involving academic integrity will be resolved through the UF Office of Judicial Affairs.
7. Students requesting classroom accommodation must first register with the Dean of Students Office. The Dean of Students Office will provide documentation to the student who must then provide this documentation to the Instructor when requesting accommodation.

Tentative Agenda

Week 1: Course Introduction, Legal Trends

Reading Assignment: Legal Liability Text: Chaps. 1-2

Week 2: Legal Research, Key Concepts, The Legal System

Reading Assignment: Legal Liability Text: Chaps. 3-4

Week 3: Negligence and Defenses to Negligence

Reading Assignment: Legal Liability Text: Chaps. 5-6

Week 4: Recreation Legislation and Policy Formation

Reading Assignment: Risk Management Text: Chap. 7

Week 5: Waivers and Contracts

Reading Assignment: Legal Liability Text: Chap. 7

Week 6: Intentional Torts, Defenses to Intentional Torts

Reading Assignment: Legal Liability Text: Chap. 23; Risk Management Text: Chap. 2, 9

Week 7: Event Management: Supervision and Medical Emergency Action Plans

Reading Assignment: Legal Liability Text: Chaps. 24-25; Risk Management Text: Chap. 4, 9

Week 8: Event Management: Disability Issues, Facilities and Equipment

Reading Assignment: Legal Liability Text: Chaps. 8-10

Week 9: Event Management: Alcoholic Beverage Sales

Reading Assignment: TBA

Week 10: Playground Liability Issues

Reading Assignment: Legal Liability Text: Chap. 26, Risk Management Text: Chap. 10

Week 11: Risk Management, AEDs

Reading Assignment: Risk Management Text: Chaps. 1, 7

Week 12: Outdoor Recreation Liability Issues, Lightning and Severe Weather

Reading Assignment: Legal Liability Text: Chaps. 19-22, Risk Management Text: Chap. 5

Week 13: Employment Law, Child Protection Issues

Reading Assignment: Notes; Risk Management Text: Chap. 3

Week 14: Issues in Hospitality Law

Reading Assignment: Legal Liability Text: Chap. 27, Risk Management Text: Chap. 11

Week 15 and 16: Special Topics

Reading Assignment: Assigned Readings

Tentative Exam Dates:

Wed. Sept. 23

Wed. Oct. 21

Fri. Dec. 4

We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honesty and integrity.