

SPMG 4667

LEGAL ISSUES IN SPORT MANAGEMENT

3 Semester Hours

Semester/Year:

Instructor:

Office Location:

Office Hours:

Telephone:

E-mail:

Fax:

COURSE DESCRIPTION

Examination of major legal issues in sport management. Emphasis on providing legally sound programs that reduce risk of litigation.

COURSE OBJECTIVES

Students will:

1. develop an awareness, basic understanding, and working knowledge of legal foundations and responsibilities of sport managers (Cotten & Wilde, 1997; Kaiser, 1986; van der Smissen, 1990);
2. examine selected legislation and analyze the effects of policy formulation in sport management (Cotten & Wilde, 1997; Kaiser, 1986; van der Smissen, 1990);
3. determine how contractual, criminal, human rights, tort, and real property liabilities apply to sport management (Cotten & Wilde, 1997; Kaiser, 1986; van der Smissen, 1990);
4. apply concepts of risk management to various sport environments (Cotten & Wilde, 1997; Kaiser, 1986; van der Smissen, 1990);
5. conceptualize, develop, implement, and evaluate a risk management plan (Clement, 1988; Cotten & Wilde, 1997; Kaiser, 1986; van der Smissen, 1990);

6. determine how the law relates to employers, employees, volunteers, participants, and spectators (Cotten & Wilde, 1997; Kaiser, 1986; van der Smissen, 1990);
7. assess current major issues in sport management in relation to direction given by the courts (Baley & Matthews, 1989; Clement, 1988; Cotten & Wilde, 1997; Kaiser, 1986; Maloy, 1988; van der Smissen, 1990); and
8. develop basic understanding of the use of the law in the management of sport including personnel, human rights, financing, and risk management (Baley & Matthews, 1989; Cotten & Wilde, 1997; Kaiser, 1986; van der Smissen, 1990).

TEXT, READINGS, AND INSTRUCTIONAL RESOURCES

Required Text:

Cotten, D. J., & Wilde, T. J. (1997). Sport law for sport managers. Dubuque, IA: Kendall/Hunt.

References:

Baley, J. A., & Matthews, D. L. (1989). Law and liability in athletics, physical education, and recreation (2nd ed.). Dubuque, IA: Wm. C. Brown.

Clement, A. (1998). Law in sport and physical activity (2nd ed.). Aurora, OH: Sport and Law Press.

Clement, A. (1997). Legal responsibility in aquatics. Aurora, OH: Sport and Law Press.

Kaiser, R. A. (1986). Liability & law in recreation, parks and sports. Englewood Cliffs, NJ: Prentice-Hall.

Maloy, B. P. (1988). Law in sport: Liability cases in management and administration. Indianapolis, IN: Benchmark.

Schubert, G. L., Smith, R. K., & Trentadue, J. C. (1986). Sports law. St. Paul, MN: West.

Sharp, L. A. (1990). Sport law. Topeka, KS: NOLPE.

van der Smissen, B. (1990). Legal liability and risk management for public and private entities. Cincinnati, OH: Anderson.

Weiler, P. C., & Roberts, G. R. (1993). Cases, materials and problems on sports and the law. St. Paul, MN: West.

ASSIGNMENTS, EVALUATION PROCEDURES, AND GRADING POLICY

Assignments:

Written Assignments

Readings

Projects

Group Work

Presentations

Evaluation Procedures:

Each faculty member will determine the evaluation procedures for the class.

Grading Policy:

Letter grades will be used to indicate each student's performance in class.

A = 90-100%; B = 80-89%; C = 70-79%; D = 60-69%; F=below 60%

CLASS OUTLINE

Week 1 Introduction to Sport Law

The Legal System

Legal Research

Ethics and Law

Week 2 Tort Law

Negligence Theory, Elements of and Defenses for Negligence

Sport Management Applications

Emergency Care

Supervision

Conduct of the Activity

Safe Environment

Transportation

Employment Torts

Product Liability

Week 3 Intentional Torts

Assault and Battery

Defamation

Other Intentional Torts: Invasion of Privacy, Breach of Fiduciary Duty, and

Tortious Interference with Contract

Week 4 Risk Management

Risk Management Process

Risk Identification and Reduction

Managing Risk through Insurance

Week 5 Contract Law

Contract Essentials

Sport Management Applications

Coaching Contracts

Letters of Intent and Scholarships

Game and Event-Related Contracts

Week 6 Constitutional Law

Judicial Review, Standing, and Injunctions

State Action

Due Process

Equal Protection

Search and Seizure/Right to Privacy

Week 7 Sport Management Applications

Voluntary Athletic Associations

Eligibility Issues

Conduct Issues

Gender Equity: Opportunities to Participate

Gender Equity: Coaching and Administration

Drug Testing

Disabled Athletes

Religious Issues

Private Clubs: Discriminatory Issues

Week 8 Sport and Legislation

Criminal Law

Sport Violence

Criminal Law: Gambling, Ticket Scalping, Wire and Mail Fraud

Week 9 Antitrust and Labor Law

Antitrust and Labor Law: Professional Sport

Antitrust Law and Amateur Sports

Week 10 Trademark Law

Trademark Law: General Principles

Sport Management Applications

Week 11 Copyright Law

Week 12 Tax Law

Tax Law: Professional Sport Issues

Tax Law: Amateur Sport Issues

Week 13 Sport Agent Regulation

Week 14 Workmen's Compensation Legislation

Week 15 Employment Law

Title VII of the Civil Rights Act of 1964

The Age Discrimination in Employment Act (ADEA)

Title I of the American with Disabilities Act

Title IX of the Educational Amendments of 1972

Equal Pay Act

Week 16 Final Examination/Evaluation as Scheduled

Students are expected to adhere to the highest standards of academic honesty. Plagiarism occurs when a student uses or purchases ghost-written papers. It also occurs when a student utilizes the ideas of or information obtained from another person without giving credit to that person. If plagiarism or another act of academic dishonesty occurs, it will be dealt with in accordance with the academic misconduct policy as stated in the Uncatalog, Undergraduate Catalog, and Graduate Catalog.