COURSE OUTLINE
LEGAL ISSUES IN SPORT
SPMT 241

Prepared By: Diane Para, Ph.D.

SCHOOL SCIENCE, HEALTH, AND CRIMINAL JUSTICE
Sports Management
Revised MAY 2015
A. **TITLE:** Legal Issues in Sport

B. **COURSE NUMBER:** SPMT 241

C. **CREDIT HOURS:** 3

D. **WRITING INTENSIVE COURSE:** N

E. **COURSE LENGTH:** 15 weeks

F. **SEMESTER(S) OFFERED:** Fall/Spring

G. **HOURS OF LECTURE, LABORATORY, RECITATION, TUTORIAL, ACTIVITY:** Three lecture hours per week.

H. **CATALOG DESCRIPTION:**
This course is designed to introduce students to legal applications within the sport industry. Through the use of case studies, this course provides an in-depth look at amateur and professional sports legal issues, such as; due process, anti-trust, free speech, duty of care, care owed to athletes and spectators, injuries, assumption of risk, contributory negligence, Title IX, contracts, tort law, and the growing instance of violent acts at or as a result of sporting events.

I. **PRE-REQUISITIES/CO-COURSES:**
   a.) Pre-requisites: Business Law I or permission of instructor

J. **GOALS (STUDENT LEARNING OUTCOMES):**
   By the end of this course, the student will be able to:

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<th>Course Objective</th>
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<tr>
<td>a. Understand the origin and difference of common law, federal law and statute law.</td>
<td>2. Crit. Thinking 3. Prof. Competence</td>
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<td>b. Identify and evaluate risk management components and other legal issues in regard to sports and sport management.</td>
<td>2. Crit. Thinking 3. Prof. Competence</td>
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<td>c. Discuss and critique legal issues related to sport product liability, due process, negligence, tort law and their implications on the sports industry and for sport professionals</td>
<td>2. Crit. Thinking 3. Prof. Competence</td>
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<td>d. Assess the principles of negligence and areas of liability vulnerability for sport management professionals, coaches, teachers, administrators, officials and athletic medical personnel</td>
<td>2. Crit. Thinking 3. Prof. Competence</td>
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<td>e. Apply and discuss laws and regulations regarding Title IX to all levels of sport and assess and evaluate compliance components of Title IX requirements</td>
<td>2. Crit. Thinking 3. Prof. Competence</td>
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<td>f. Demonstrate understanding of common legal issues in a sport setting and articulate how the legal system creates a context for decision making for sport management professionals</td>
<td>1. Communication 2. Crit. Thinking 3. Prof. Competence 4. Inter-intrapersonal</td>
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K. TEXTS:


L. REFERENCES:


M. EQUIPMENT: Technology Enhanced Classroom

N. GRADING METHOD: A-F

O. MEASUREMENT CRITERIA/METHODS:

- Class participation and attendance
- Case Summaries
- Chapter review questions
- Moot Trial

P. DETAILED COURSE OUTLINE:

I. Introduction and Overview
   a. Discussion of course expectations, objectives and outcomes
   b. Review Business Law and other relevant coursework discussion
   c. Overview of class schedule, class expectations, and assignments
   d. Discuss case summaries

II. Importance of Law in Sport Professions
   a. Overview of role law plays in various sport professionals
   b. Why should sport professionals have legal/law awareness?

III. U.S. Legal System
   a. Explain and review U.S. Legal System
   b. Discuss impact and relevance of U.S. Legal System to sports - both amateur and professional
   c. Statutory Law case studies – analyze and discuss
      
      *Bunger v. Iowa High School Athletic Association*
      *DeFantz v. United States Olympic Committee*
      *Faragher v. City of BocaRaton*
      *Sandison v. Michigan High School Athletic Association, Inc.*
d. Constitutional Law case studies – analyze and discuss
   Blair v. Washington State University
   Menora v. Illinois High School Association
   National Collegiate Athletic Association v. Tarkanian
   Schall v. Tippecanoe County School Corporation

IV. Tort Law (negligence) and Product Liability
   a. Explain and review tort law and product liability
   b. Discuss impact and relevance of tort law and product liability to sports - both amateur and professional
   c. Tort Law case studies – analyze and discuss
      Bearman v. University of Notre Dame
      Kleinknecht v. Gettysburg College
      Eddy v. Syracuse University
      Hayden v. University of Notre Dame
      Pell v. Victor J. Andrew High School

V. Risk Management
   a. Explain and review risk management
   b. Discuss impact and relevance of risk management to sports - both amateur and professional
   c. Identify risk management procedures and protocol for sport settings

VI. Contract Law
   a. Explain and review contract law
   b. Discuss impact and relevance of contract law to sports - both amateur and professional
   c. Contract Law case studies – analyze and discuss
      Monson v. State
      Taylor v. Wake Forest University

VII. Gender Equity – Title IX
   a. What is Title IX legislation
   b. History of Title IX
   c. Discuss impact and relevance of Title IX to sports - both amateur and professional and male and female sports
   d. How is Title IX applied and reviewed in college settings
   e. Gender Equity case studies – analyze and discuss
      Cohen v. Brown University - review questions due
      Cook v. Colgate University – review questions due
      Favia v. Indiana University of Pennsylvania
      Choike, et al. v. Slippery Rock University

VIII. Employment Law
   a. Discuss Equal Pay Act and Employment Discriminate Laws
   b. Discuss impact and relevance of employment law to sports - both amateur and professional
   c. Employment Law case studies – analyze and discuss
      Perdue v. City University of New York
IX. Intellectual Property
   a. Explain and review laws of intellectual property
   b. Discuss impact and relevance of intellectual property laws to sports -
      both amateur and professional
   c. Intellectual Property case studies – analyze and discuss
      *Dallas Cowboys Cheerleaders v. Pussycat Cinema, Ltd*
      *Lyons Partnership v. Giannoulas*
      *Trademark Licensing of the Roo*

X. Agency Law
   a. Explain and review agency law
   b. Legal Authority – Express, implied, apparent
   c. Discuss impact and relevance of agency law to sports -
      both amateur and professional

XI. Antitrust Laws
   a. Explain and review antitrust laws
   b. Discuss impact and relevance of antitrust laws to sports -
      both amateur and professional
   c. Antitrust case studies – analyze and discuss
      *Association for Intercollegiate Athletics for Women v. NCAA*
      *Chicago Professional Sports Limited Partnership v. NBA*

Q. LABORATORY OUTLINE: None