

**STATE UNIVERSITY OF NEW YORK
COLLEGE OF TECHNOLOGY
CANTON, NY**



**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**

SPMT 241 - LEGAL ISSUES IN SPORT

- 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:

<i>Course Objective</i>	<i>Institutional SLO</i>
a. Understand the origin and difference of common law, federal law and statute law.	2. Crit. Thinking 3. Prof. Competence
b. Identify and evaluate risk management components and other legal issues in regard to sports and sport management.	2. Crit. Thinking 3. Prof. Competence
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	2. Crit. Thinking 3. Prof. Competence
d. Assess the principles of negligence and areas of liability vulnerability for sport management professionals, coaches, teachers, administrators, officials and athletic medical personnel	2. Crit. Thinking 3. Prof. Competence
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	2. Crit. Thinking 3. Prof. Competence
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	1. Communication 2. Crit. Thinking 3. Prof. Competence 4. Inter-intrapersonal

K. TEXTS:

Spengler, J.O., Anderson, P.M., Connaughton, D.P., & Baker, T.A. (2009). *Introduction to sport law*. Champaign, IL: Human Kinetics.

L. REFERENCES:

Pittman, A., Spengler, J., & Young, S. (2008). *Case studies in sport law*. Champaign, IL: Human Kinetics.

Appenzeller, H. (1970). *From the gym to the jury*. VA: Michie.

Berry, R. C. & Wong, G.M. (1993). *Law and business of the sport industries (2nd Edition)*. MA: Auburn House.

Yasser, R., McCurdy, J.R., Goperlund, C.P., & Weston, M.A. (2003). *Sports law: Cases and materials (5th Edition)*. OH: Anderson.

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*
 - Schail 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