



1. Campus Name
School of Education

2. Wayland Baptist University Mission Statement:

Wayland Baptist University exists to educate students in an academically challenging, learning-focused and distinctively Christian environment for professional success, and service to God and humankind.

3. Course Prefix, Number, & Name:

EXSS 5303-VC01 Sports Law and Issues

4. Term and Year:

Fall-2, 2020

5. Full Name of Instructor:

Dr. J. Paul Fikes

6. Office Phone and WBU Email Address:

Office phone: 806.291.3790

Email: fikesp@wbu.edu

Cell phone: 806.729.8017

EXSS Front Office phone: 806.291.1056

7. Office Hours, Building, and Location:

Laney Center, Room 203, by appointment

8. Class Meeting Time and Location:

Virtual Campus

9. Catalog Description:

Legal factors affecting physical education, recreation, amateur athletics and professional sport.
Analysis of case law.

10. Prerequisite:

Admission to graduate school

11. Required Textbook and Resources:

- Textbook: Sharp, L. A., Moorman, A. M, & Claussen, C. L. (2014). Sport Law: A Managerial Approach (3rd ed.). Holcomb Hathaway. ISBN: 978-1-62159-0003-3

- Nexis Uni Academic search engine (formerly LexisNexis). Available through WBU LRC online here: [link](#)

12. Optional Materials:

- Resources available through WBU and Online libraries
- Access to WBU Learning Resources at [link](#)

13. Course Outcome Competencies:

At the completion of the course, the student will:

1. demonstrate an understanding of the structure and function of the American legal system.
2. demonstrate an understanding of the potential liability for injuries in the supervision, management, and conduct of sport, and of strategies for limiting liability.
3. demonstrate an understanding of the potential liability for injuries in the supervision, management, and conduct of sport, and of strategies for limiting liability.
4. demonstrate knowledge of the basic components of preventive law planning and be able to apply them in sport settings.
5. demonstrate an understanding of legal issues relevant to sport in the areas of contract, intentional tort, intellectual property, and criminal law.
6. demonstrate the ability to apply selected legal principles to cases involving civil rights and civil liberties of personnel, participants, and clientele. Particular application is made to civil rights of women, minorities, and persons with disabilities.
7. demonstrate an understanding of current legal issues in sport.
8. demonstrate an ability to think critically and analytically about the mutual interaction between the law and society.

14. Attendance Requirements:

As stated in the Wayland Catalog, students enrolled at one of the University's external campuses should make every effort to attend all class meetings. All absences must be explained to the instructor, who will then determine whether the omitted work may be made up. When a student reaches that number of absences considered by the instructor to be excessive, the instructor will so advise the student and file an unsatisfactory progress report with the campus executive director. Any student who misses 25 percent or more of the regularly scheduled class meetings may receive a grade of F in the course. Additional attendance policies for each course, as defined by the instructor in the course syllabus, are considered a part of the University's attendance policy.

- As a Virtual Campus course, any student who misses twenty-five (25%) percent or more of the regularly scheduled class meetings will receive a grade of F for that course. Participation and attendance will be defined as logging into the Blackboard course module and submitting at least one assignment each week. Simply logging into the Blackboard course module will not suffice.

15. Statement on Plagiarism and Academic Dishonesty:

Wayland Baptist University observes a zero tolerance policy regarding academic dishonesty. Per university policy as described in the academic catalog, all cases of academic dishonesty will be reported and second offenses will result in suspension from the university.

16. Disability Statement:

"In compliance with the Americans with Disabilities Act of 1990 (ADA), it is the policy of Wayland Baptist University that no otherwise qualified person with a disability be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity in the university. The Coordinator of Counseling Services serves as the coordinator of students with a disability and should be contacted concerning accommodation requests at (806) 291- 3765. Documentation of a disability must accompany any request for accommodations."

17. Course Requirements and Grading Criteria:

- A. Syllabus Quiz
 - a. Read the full syllabus. If you have any questions or concerns, please contact me ASAP.
 - b. A short (short answer) quiz is available on Blackboard. Once you are confident that you are familiar with the course objectives and expectations, complete the syllabus quiz.
 - c. This is not graded, but is mandatory to be considered a participant in class.
 - d. Due by 9:00 PM (CST – Plainview time) on the first Thursday of the course (see calendar).
- B. Discussion Board Questions – will assess attendance and competencies 1, 2, 3, 4, 5, 6, 7, & 8
 - a. Each week, a single prompt or question is posted. Develop a thorough response to each and post your reflection.
 - i. Will require consideration of that week's assigned readings
 - ii. Text should follow APA formatting standards, including any references cited
 - iii. Your original response is due by 9:00 PM (CST – Plainview time) on Saturday night during; see due dates on course calendar (below)
 - iv. 8, each worth up to 10 points
 - 1. See "Discussion Boards Expectations and Grading" for detail on grading criteria
 - b. After your original post is submitted, you are expected to read other student responses and post thoughtful and constructive replies to your classmates to encourage an exchange of ideas. This will enhance your learning and that of your classmates.
 - i. Contributions that advance the course discussion will be rewarded with "discussion points"
 - 1. Earn 1 discussion point for adding to another student's post with an interesting idea or question that the original post didn't include.
 - 2. Comments that do not advance the discussion, such as "I agree" or "I agree because you made this one point," will not earn the discussion point.
 - ii. I will also participate in the discussions by asking questions, proposing challenges to your assertions, and generally encouraging you to think more deeply about the topics. Remember that I have the responsibility to ask questions that challenge your preconceptions and biases. I may also play the "devil's advocate" during discussions.
 - 1. Note: you are not graded on your opinion, but on whether your opinions are rooted in facts and foundational information, whether your opinions are presented within the required format so that we can all read them in the same context, and whether your opinions are on the topic proposed by the prompt.
 - iii. 20 total discussion points are available, distributed among the DBs. But, no more than 4 can be earned in any one DB prompt.
 - 1. There is no "due date" for these, as the intent is to encourage continual reflection and interaction. However, no submissions can be graded for credit after the course session deadline on Saturday of the last week of class.
 - 2. You should receive an email message for each discussion point awarded from Blackboard.
 - c. Post to Blackboard under "Discussion Boards" tab
 - d. Anticipated time on task: 1 hour per week on writing, plus defined weekly readings

e. 100 total points possible

C. Research Paper – will assess competencies 2, 3, 5, 6, 7, & 8

- a. Write two 5-6-page papers answering the following questions:
 - i. Mid-term paper: With what sport or physical activity are you most interested in working with in your professional career? What are the significant risks of that activity? What actions and decisions can you implement as a professional to minimize those risks and the liability that they bring to you and your organization?
 - ii. Final paper: Select one significant legal issue that has yet to be decided in sports. What are the facts of the issue? Who are the stakeholders in the legal decision? Who holds jurisdiction? What legal standards (laws and statutes) and cases should be applied? Is there legal precedence? Are there contrary legal points of view that must be considered? What will the expected and potential unintended consequences of either side winning the case? Is a compromise or collaboration possible or preferable to both sides? How can we prevent (or reduce the rate of occurrence of) this issue from occurring in the future?
 1. You may use the Marquette Sports Law Review and Nexis Uni to start your research. However, don't simply restate the findings of the authors. This should be your analysis. Remember to cite any sources you obtain information from.
- b. As a rule of thumb, papers should include approximately 1 primary reference resource per page of text.
- c. All papers should be formatted using the latest edition of APA.
 - i. If you have any questions, concerns, or problems with APA formatting, please feel free to contact me or seek help through the WBU Writing Center.
 - ii. Legal citation is complex and typically requires resources not available to students outside of a law firm. The APA Publication Manual has several suggestions and examples.
- d. Upload to Blackboard under "Assignment Uploads" tab
- e. Due by 9:00 PM (CST – Plainview time) on Saturday during Weeks 4 and 8 (see Course Calendar, below)
- f. Anticipated time on task: 3 hours preparation per week (1-3 & 5-7) plus 8 hours writing, editing, and proofreading during submission weeks (4 & 8), plus defined weekly readings
- g. 2, Worth 50 points each (100 total)

D. Organizational Review – will assess competencies 4 & 8

- a. Prepare a PowerPoint (or similar) presentation on a sports or physical activity organization that you are intimately familiar with. If you do not have an organization, become familiar with one – including website review and interviewing with administrative staff. Presentation should include any formal policies and procedures that are written and published for the open public. Private or secret information should not be divulged. Presentation should include an outline of the corporate policies and procedures intended to mitigate liability and prevent negligence and other torts. Additionally, presentation should include any required personnel standards that are designed to mitigate risk (i.e., require all coaches to have current CPR and AED certification). Note that the purpose of this assignment is to become familiar with the breadth and depth of the interactions between legal requirements and daily practice and procedures of an organization – NOT to just look for places where an organization is failing.

- i. Use APA format for all text and citations.
 - 1. The same “rough draft” standard from the research paper instructions is expected here.
 - ii. Length will be determined by content.
 - b. Uploaded to Blackboard under “Assignment Uploads” tab
 - c. Due by 9:00 PM (CST – Plainview time) on Saturday during week 7
 - d. Anticipated time on task: 4 hours total in weeks 6 & 7
 - e. Worth 100 points
- E. 300 Total Points Possible
- A: At least 270 points
 - B: At least 240 points
 - C: At least 210 points
 - D: At least 180 points
 - F: Fewer than 180 points
- F. Grade of Incomplete – The university catalog, [link](#), states that “an incomplete may be given within the last two weeks of a long term . . . to a student who is passing, but has not completed a term paper, examination, or other required work for reasons beyond the student’s control.” For this course, I will approve any request that includes a statement of need due to “reasons beyond the student’s control” and that is requested in the last two weeks of the term. However, I can only approve the request if you are both requesting an extension for *one assignment* and are otherwise *passing* (defined as at least 60% of the points expected based on the position within the course, excluding the assignment within the request). More extensive requests may be possible through working with WBU academic administration.

17.1 Students shall have protection through orderly procedures against prejudices or capricious academic evaluation. A student who believes that he or she has not been held to realistic academic standards, just evaluation procedures, or appropriate grading, may appeal the final grade given in the course by using the student grade appeal process described in the Academic Catalog. Appeals may not be made for advanced placement examinations or course bypass examinations. Appeals are limited to the final course grade, which may be upheld, raised, or *lowered* at any stage of the appeal process. Any recommendation to lower a course grade must be submitted through the Vice President of Academic Affairs/Faculty Assembly Grade Appeals Committee for review and approval. The Faculty Assembly Grade Appeals Committee may instruct that the course grade be upheld, raised, or lowered to a more proper evaluation.

18. Tentative Schedule:

A tentative schedule is provided (see calendar below) to help you keep on pace. You are welcome to work ahead. You may submit assignments after the due date, but you may lose up to 10% per day in potential grade. In case of emergency, I will certainly work with you, but you must contact me as soon as is reasonably possible.

19. Faculty May Add Additional Information as Desired:

- This course is designed to be completed in eight weeks, with 15-16 hours of time on task per week. If you are unable to commit this time, please talk to your instructor ASAP. I recommend scheduling blocks of time throughout each week so you don’t feel rushed on Saturdays when assignments are due.
- Life happens. Please communicate with me when it does so I can be looking for ways to help you. I can’t help you solve problems if I don’t know you’re having them.

EXSS 5303 - VC01
Sports Law and Issues

| Week # | Dates | Topic | Sharp Chapters to Read | Additional Readings and Resources (links and prompts posted in Blackboard) | Assignments Due |
|--------------------|----------------|--|------------------------|--|---|
| 1 | Oct 19-23 | Unit 1 – The American Legal System | 1, 3 | <ul style="list-style-type: none"> - Course Syllabus - US Constitution - Intro to US Legal System - 3 Branches of Government - <i>Cook v. Colgate</i> - Exempting Minor League Baseball from Minimum Wage & Overtime (YouTube) | <ul style="list-style-type: none"> - Syllabus quiz (Oct 22) - DB 1 (Oct 24) |
| 2 | Oct 26-30 | Unit 2 – Liability, Management, and Supervision | 2, 15-18 | <ul style="list-style-type: none"> - NATA Position Statements | <ul style="list-style-type: none"> - DB 2 (Oct 31) |
| 3 | Nov 2-6 | Unit 3 – Employees, Participants, and Negligent Torts | n/a | <ul style="list-style-type: none"> - Legal Liability in Covering Athletic Events - <i>Yatsko v. Berezwick</i> - Can Summer Training Camp Practices Land NFL Head Coaches in Hot Water? - League of Denial (YouTube) - Playing Youth Sports: COVID-19 - Joe Paterno - Korey Stringer Institute | <ul style="list-style-type: none"> - DB 3 (Nov 7) |
| 4 | Nov 9-13 | Unit 4 – Preventive Law Planning in Sport | 11-14 | <ul style="list-style-type: none"> - UIL Summer 2020 Sport and Strength & Conditioning requirements | <ul style="list-style-type: none"> - DB 4 (Nov 14) - Mid-term Paper (Nov 14) |
| 5 | Nov 16-20 | Unit 5 – Contract Law, Criminal Law, IP, and Intentional Torts | 4-5, 8-10 | <ul style="list-style-type: none"> - What are Intentional Torts? - Todd Bertuzzi & Steve Moore incident - Informed Consent in Sport Science - Texas Penal Code | <ul style="list-style-type: none"> - DB 5 (Nov 21) |
| Thanksgiving Break | | | | | |
| 6 | Nov 30 – Dec 4 | Unit 6 – Civil Liberties and Discriminations in Sport | 6-7 | <ul style="list-style-type: none"> - Ten Protests in Sports History - Know Your Rights: Free Speech, Protests, & Demonstrations - Corporate Speech - <i>Lozano v. Baylor University</i> - Casey Martin vs. the PGA (USA Today article) | <ul style="list-style-type: none"> - DB 6 (Dec 5) |
| 7 | Dec 7-11 | Unit 7 – Current Legal Issues in Sport | n/a | <ul style="list-style-type: none"> - Marquette Sports Law Review - Street & Smith's Sports Business Journal - SLA Blog | <ul style="list-style-type: none"> - DB 7 (Dec 12) - Organizational Review (Dec 12) |
| 8 | Dec 14-18 | Unit 8 – Interaction between the Law and our Daily Decisions | n/a | <ul style="list-style-type: none"> - The Curious Case of Curt Flood (3 parts; YouTube) - EAP White Paper - FSU Athletics Policy & Procedures Manual | <ul style="list-style-type: none"> - DB 8 (Dec 19) - Final Paper (Dec 19) |