

**WAYLAND BAPTIST UNIVERSITY**

**SCHOOL OF Education**

**virtual Campus**

**Mission: 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.**

**COURSE NAME:** EXSS 5303 Sports Law and Issues

**TERM AND DATES:** Winter Term 2017 (November 13 – February 17)

**INSTRUCTOR’S NAME:** Dr.Charles C. Huang

**OFFICE PHONE NUMBER(S):** 806-291-3791

**E-MAIL ADDRESS:** huangc@wbu.edu

**OFFICE HOURS, BUILDING, & LOCATION:** By appointment, Laney Center, Room 204

**CLASS MEETING TIMES/LOCATION:** Virtual Campus online instruction via Blackboard

**CATALOG COURSE DESCRIPTION:**  Legal factors affecting physical education, recreation, amateur athletics, and professional sport; analysis of case law. Prerequisite(s): Admission to graduate school.

**PREREQUISITES:** Graduate Standing

**REQUIRED TEXTBOOK(S) AND RESOURCE MATERIALS:**

* 1. Sharp, L. A., Moorman, A. M, & Claussen, C. L. (2014). *Sport Law: A Managerial Approach (3rd ed.)*. Scottsdale, AZ: Holcomb Hathaway. ISBN: 978-162159-0003-3 - Available as an ebook or an ebook-print combination through the publisher here: http://www.hh-pub.com/Sport-Law-P162.aspx

**OPTIONAL MATERIALS:**

1. Marquette Sports Law Review. Free digital editions available at http://scholarship.law.marquette.edu/sportslaw/
2. LexisNexis Academic search engine. Available through WBU LRC online search engine at http://www.lexisnexis.com.yosemite.wbu.edu/hottopics/lnacademic/
3. Resources available through WBU and Online libraries [www.wbu.edu/lrc](http://www.wbu.edu/lrc)
4. APA Style Homepage <http://www.apastyle.org/index.aspx>
5. North American Society of Sports Management <http://www.nassm.org/>

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**COURSE OUTCOME COMPETENCIES:**

At the completion of this course, the student will:

1. Understand the nature of the American legal system.
2. Be cognizant of the potential liability for injuries in the supervision, management, and conduct of sport, and of strategies for limiting liability..
3. Understand the rights and responsibilities of management, employees, participants, and clientele with respect to negligence law, and the potential for management liability..
4. Know the basic components of preventive law planning and to be able to apply them in sport settings.
5. Understand legal issues relevant to sport in the areas of contract, intentional tort, intellectual property, and criminal law.
6. Be able 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. Increase awareness of current legal issues in sport.
8. Learn to think critically and analytically about the mutual interaction between the law and society.

**ATTENDANCE REQUIREMENTS:**

Student enrolled in the University’s Virtual Campus should make every effort to participate fully in the class. In order to make up incomplete work, the student must explain the reason for the deficiency to the instructor, who will then determine whether the omitted work may be made up. When a student shows a lack of participation considered by the instructor to be excessive, the instructor will so advise the student. Any student who misses 25 percent or more of the class assignments will receive a grade of “F” in the course. Additional participation policies for each course, as defined by the instructor in the course syllabus, are considered a part of the university’s attendance policy.

**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.

**COURSE REQUIREMENTS & GRADING CRITERIA:**

1. **Class Introduction Forum (50 points)** You will be asked to write a brief introduction of yourself (30 points), i.e., where you are from, what you are currently doing, and share some of your dreams for yourself. The introduction should be between 150-300 words. Then, you will be asked to write a brief response to two of your classmates (20 points). Introduce yourself, share some common ground you have with the individual, encourage them in the coming class. This introduction should be between 100-150 words.
2. **Discussion Board Forums (DB Forums) (50×5=250 points)** There will be five DB forums. Each one will be divided into two parts: (1) a post in response to the topic or question (30 points), this is due by Wednesday of the given week; (2) reply to classmates’ posts (20 points). The post to the topic or question must be 300 to 500 words and must incorporate at least one resource (e.g. textbook or a scholarly journal). It is also encouraged to incorporate biblical concepts in your post. Each reply must be no less than 150 words. All posts must be made in accordance with current APA format.
3. **Case Briefs** **(50×5= 250 points)** Write each case brief for a recent legal decision that is: (1) Not fully outlined in the text (may be mentioned or cited). (2) Related to the course and your field of expertise. (3) Of interest to you. Format should follow the description here: http://www.lexisnexis.com/enus/lawschool/pre-law/how-to-brief-a-case.page or from your textbook. Due by the end (CST) Sunday of the assigned week.
4. **Research Paper (100 points)** Write 10-12 page paper analyzing the legal standing of a current issue. Although the actual questions will vary by topic, consider at a minimum these issues: 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? Use the Marquette Sports Law Review and LexisNexis 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. Topic should be pre-approved by instructor

As a rule of thumb, paper should include approximately 1 primary reference resource per page of text.

All papers should be formatted using the latest edition of APA. (1) Any submission that appears to be a rough draft as defined as “several (more than 2-3 unique) grammatical or APA errors per page, including the references” will be returned with a grade of 1 point. 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. (2) 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, specifically including Appendix 7.05. Due by the end (CST) of Sunday, February 11th 2018. Please get help from writing center, if needed.

1. **Organizational Review (15×14=210 points)** 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 it – 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. Use APA format for all text and citations. The same “draft” procedure will be followed as from the research paper. Length will be determined by content. Save the PPT as PDF then uploaded to Blackboard. Due by the end (CST) of Saturday, February 4th 2018.
2. **Written Examinations (200 points)** You will have 2 exams at 100 points each scheduled in advance. The exam will cover the material presented in the chapters covered during that time. The final is NOT cumulative.

**Total Possible Points- 1000**

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| --- | --- |
| Class Introduction Forum | 50 points |
| DB Forums | 250 points (50×5) |
| Case Briefs | 250 points (50×5) |
| Research Paper | 150 points |
| Organizational Review | 100 points |
| Written Examinations | 200 points (100×2) |

**Grading Scale**

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| --- | --- |
| **Grade** | **Points** |
| A | 900 – 1000 |
| B | 800 – 899 |
| C | 700 – 799 |
| D | 600 – 699 |
| F | 000 – 599 |

**University Grading System:**

A Cr for Credit

B NCR No Credit

C I Incomplete\*

D W for withdrawal

F WP Withdrawal Passing

WF Withdrawal Failing X No grade given

IP In Progress

A grade of “CR” indicates that credit in semester hours was granted but no grade or grade points were recorded.

**\***A grade of incomplete is changed if the work required is completed prior to the date indicated in the official University calendar of the next long term, unless the instructor designates an earlier date for completion. If the work is not completed by the appropriate date, the **I** is converted to the grade of **F**. An incomplete notation cannot remain on the student’s permanent record and must be replaced by the qualitative grade (A-F) by the date specified in the official University calendar of the next regular term.

**TENTATIVE SCHEDULE: (calendar, topics, assignments)**

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| --- | --- | --- | --- |
| Week | Topic | Assignments | Points |
| 1  (11/13-11/19) | * Introduction * Minimize Liability | * Class Introduction Forum * Read: Chapters 1 & 2 * Case Brief **1** | * 50 * 50 |
| 1.5  (11/20-11/26)  (11/23-11/24 *Thanksgiving*) | * US Legal System | * Read: Chapters 3 * Discussion 1 | * 50 |
| 2  (11/27-12/3) | * Employment Relations Issues * Employ Liability * Hiring, Promotion, Termination, Compensation, and Leave | * Read: Chapters 4, 5, & 6 * Case Brief 2 * Discussion 2 | * 50 * 50 |
| 3  (12/4-12/10) | * Harassment and Employee Expression Issues * Working Conditions | * Read: Chapters 7 & 8 * Case Brief 3 * Research Paper Topic Approval | * 50 |
| 4  (12/11-12/17) | * Labor Relations/Collective Bargaining | * Read: Chapters 9 & 10 * Discussion 3 | * 50 |
| 5  (12/18-1/7)  (12/20-1/2 *Christmas Holidays*) |  | * **Midterm Examination (Chapters 1-10)** | * 100 |
| 6  (1/8-1/14) | * Governance Issues in Professional Sport * Governance Issues and Regulation of Participation in Olympic Sport | * Read: Chapter 11 & 12 * Case Brief 4 | * 50 |
| 7  (1/15-1/21) | * Governance Issues in High School and College Athletics * Regulation of Participation in Private Clubs and High School and College Athletics | * Read: Chapters 13 & 14 * Discussion 4 | * 50 |
| 8  (1/22-1/28) | * Participant Liability Issues * Premises Liability and Sport Facility/Event Issues | * Read: Chapters 15 & 16 * Case Brief 5 | * 50 |
| 9  (1/29-2/4) | * Use of Waivers and Exculpatory Clauses * Participant Violence in Sports | * Read: Chapters 17 & 18 * Discussion 5 * Organizational Review | * 50 * 100 |
| 10  (2/5-2/11) | * Development and Protection of Intellectual Property * Promotional and Operational Issues in Marketing | * Read: Chapters 19 & 20 * Research Paper | * 150 |
| 11  (2/12-2/17) |  | * **Final Exam (Chapters 11 – 20)** | * 100 |

**ACADEMIC HONESTY:**

Wayland students are expected to conduct themselves according to the highest standards of academic honesty. Academic misconduct for which a student is subject to penalty includes all forms of cheating, such as possession of examinations or examination materials, forgery, or plagiarism. Disciplinary action for academic misconduct is the responsibility of the faculty member assigned to the course. The faculty member is charged with assessing the gravity of any case of academic dishonesty and with giving sanctions to any student involved. The faculty member involved will file a record of the offense and the punishment imposed with the dean of the division, campus dean, and the provost/academic vice president. Any student who has been penalized for academic dishonesty has the right to appeal the judgment or the penalty assessed.

**Plagiarism**

“Plagiarism — The attempt to represent the work of another, as it may relate to written or oral works, computer-based work, mode of creative expression (i.e. music, media or the visual arts), as the product of one's own thought, whether the other's work is published or unpublished, or simply the work of a fellow student.

1. When a student submits oral or written work for credit that includes the words, ideas, or data of others, *the source of that information must be acknowledged through complete, accurate, and specific references*, and, if verbatim statements are included, through use of quotation marks as well. By placing one’s name on work submitted for credit, the student certifies the originality of all work not otherwise identified by appropriate acknowledgements. *A student will avoid being charged with plagiarism if there is an acknowledgement of indebtedness.*”

Source: <http://www.spcollege.edu/academichonesty/#plag>