

**Curriculum Proposal Cover Sheet – form is available on-line as an interactive PDF**

LSC Use Only Proposal No:	UWUCC Use Only Proposal No: <u>12-56d</u>	Senate Action Date: <u>App-12/4/12</u>
LSC Action-Date:	UWUCC Action-Date: <u>App-10/30/12</u>	

**Curriculum Proposal Cover Sheet - University-Wide Undergraduate Curriculum Committee**

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Proposing Department/Unit <u>Health and Physical Education</u>	Phone <u>357 7645</u>

Check all appropriate lines and complete all information. Use a separate cover sheet for each course proposal and/or program proposal.

**1. Course Proposals (check all that apply)**

New Course                       Course Prefix Change                       Course Deletion  
 Course Revision                       Course Number and/or Title Change                       Catalog Description Change

Current course prefix, number and full title HPED 460 Law and Issues in Managing Sport

Proposed course prefix, number and full title, if changing:

**2. Liberal Studies Course Designations, as appropriate**

This course is also proposed as a Liberal Studies Course (please mark the appropriate categories below)

Learning Skills     Knowledge Area     Global and Multicultural Awareness     Writing Intensive (include W cover sheet)

Liberal Studies Elective (please mark the designation(s) that applies – must meet at least one)

Global Citizenship                       Information Literacy                       Oral Communication  
 Quantitative Reasoning                       Scientific Literacy                       Technological Literacy

**3. Other Designations, as appropriate**

Honors College Course                       Other: (e.g. Women's Studies, Pan African)

**4. Program Proposals**

Catalog Description Change     Program Revision     Program Title Change                       New Track  
 New Degree Program                       New Minor Program     Liberal Studies Requirement Changes                       Other

Current program name:

Proposed program name, if changing:

5. Approvals	Signature	Date
Department Curriculum Committee Chair(s)		<u>9-17-12</u>
Department Chairperson(s)		<u>9-17-12</u>
College Curriculum Committee Chair		<u>10-10-12</u>
College Dean		<u>10/10/12</u>
Director of Liberal Studies (as needed)		
Director of Honors College (as needed)		
Provost (as needed)		
Additional signature (with title) as appropriate		
UWUCC Co-Chairs		<u>10/30/12</u>

**Received**  
**OCT 10 2012**  
**Liberal Studies**

## Part II. Description of the Curriculum Change

### 1. New Syllabus of Record

#### SYLLABUS OF RECORD

##### I. Catalog Description

HPED 460 Law and Issues in Managing Sport 3 class hours  
0 lab hours  
3 credits

Prerequisite: HPED 292 3c-0l-3cr

Emphasizes the interaction between the legal system and the sport industry. Topics include liability risk management, contracts, torts, sports agents, dispute resolution, and product liability. A focus on the influence of Title IX, antitrust exemption, religion, drug testing, and ergogenic aids on sport operations. The evolution of NCAA compliance and the issues that social media has on managing sport are included.

##### II. Course Outcomes

Upon completion of this course the student will be able to:

1. Explain how a sports manager can minimize exposure to negligence.
2. Describe the impact of tort law on the operation of a sport organization.
3. Construct a plan to protect the organization from a negligent act.
4. Apply strategies used in negotiating a sport's contract.
5. Identify the influence of sports agents on sports organizations.
6. Assess utilization of the standards of the Americans with Disabilities Act.
7. Develop a plan to mediate a legal conflict.
8. Analyze the influence of religion, drug testing, and Title IX on the sport industry.
9. Analyze the cause and effect of NCAA compliance related to management of a collegiate athletic program.
10. Construct a plan to manage ethical issues created by the emergence of social media.

##### III. Course Outline

- A. Introduction to Legal System 2 hours
1. American legal system
  2. International law
  3. Legal terminology
- B. Sport Torts 4 hours
1. Negligence
  2. Contributory negligence
  3. Spectator injuries
  4. Wrongful death

5. Torts and waivers	
6. Product liability	
C. Protection From Liability Judgments	4 hours
1. Insurance coverage	
2. Warnings	
3. Risk management planning	
4. Workers' compensation	
5. Staff training	
6. Supervision	
D. Sport Agents and Contracts	3 hours
1. Contract law	
2. Fraud	
3. Service contracts	
4. Breach of contract	
5. Rules of sports agents	
6. State regulations	
E. Exam	1 hour
F. Disabilities and Sports	4 hours
1. Relevant statutes	
2. Rehabilitation act	
3. American with Disabilities Act	
G. Intellectual Property Issues in Sport	3 hours
1. Copyright	
2. Licensing trademarks	
3. Mascots and trademarks	
4. Consumer protection	
H. Dispute Resolution in Sport	3 hours
1. Arbitration	
2. Mediation	
I. Religion and Sport	2 hours
1. First amendment	
2. Prayers and religious expression	
J. Exam	1 hour
K. Drugs, Alcohol, and Ergogenic Aids in Sport	3 hours
1. Performance enhancing drugs	
2. Drug testing	
3. NCAA regulations	
4. Professional sports regulations	

- |   |         |
|---|---------|
| L. NCAA Compliance                                | 3 hours |
| 1. Evolution of NCAA compliance codes             |         |
| 2. Causes of compliance changes                   |         |
| 3. Future issues facing compliance changes        |         |
| M. Influence of Social Media on Managing Sports   | 3 hours |
| 1. Issues caused by social media used by athletes |         |
| 2. Policies regulating social media use           |         |
| 3. Plans to regulate misuse of social media       |         |
| N. Antitrust and Labor Issues in Sport            | 2 hours |
| 1. Federal antitrust law                          |         |
| 2. Historical framework of antitrust in sport     |         |
| 3. Current labor issues in professional sport     |         |
| 4. Salary caps                                    |         |
| O. Title IX and Sport                             | 3 hours |
| 1. Fundamentals of Title IX                       |         |
| 2. Compliance issues                              |         |
| P. International Sport                            | 1 hour  |
| 1. Olympic movement                               |         |
| 2. International sport federations                |         |
| 3. International legal issues                     |         |
| 4. Exam   |         |
| Q. Culminating Activity                           | 2 hours |

**IV. Evaluation Methods**

Evaluation of the students will consist of:

30% Examinations: Three exams will be given throughout the semester.

30% Article Critiques: Articles will be critiqued and summarized on topics related to the course content. Articles will be chosen from professional journals.

20% Research Paper

20% Pro and Con Panel Presentations: Panels will be established to debate both sides of an issue. Students will participate in two panel sessions.

**V. Grading Scale**

≥ 90 = A; 80 – 89% = B; 70 – 79% = C; 60 – 69% = D; < 60% = F

**VI. Attendance Policy**

The course attendance policy will be consistent with the university undergraduate attendance policy included in the Undergraduate Catalog.

**VII. Required Textbook**

Spengler, J. (2009). *Introduction to Sport Law*. Champaign, IL: Human Kinetics.

*Street and Smith's Sports Business Journal*. Current subscription.

*The NCAA news*. Current subscription.

**VIII. Special Resource Requirements**

None

**IX. Bibliography**

Appenzeller, H. (1998). *Risk management in sport: Issues and strategies*. Durham, NC: Carolina Academic.

Carpenter, L.J. (2005). *Title IX*. Champaign, IL: Human Kinetics.

Clement, A. (2004). *Law in sport and physical activity*. Sport and Law Press.

Cotton, D. & Wilde, T. (1997). *Sport Law for Sport Managers*. Dubuque, IA: Kendall/Hunt Publishing Company.

Cotton, D. & Wolohan, J. (2007). *Law for recreation and sports managers* (4<sup>th</sup> ed.) Dubuque, IA: Kendall Hunt.

Epstein, A. (2012). *Sports law*. Mason, OH: South-Western Cengage Learning.

Morgan, W.J., Meier, K.V., & Schneider, A.J. (2001). *Ethics in sport*. Champaign, IL: Human Kinetics.

O'Brien, D.B. and Overby, J.O. (1997). *Legal aspects of sport entrepreneurship*. Morgantown, WV: Fitness Information Technology.

Quirk, C. (1999). *Sports and the law: Major legal cases*. New York: Garland Publishing.

Ruxin, R.H. (2004). *An athlete's guide to agents*. (4<sup>th</sup> ed.). Boston: Jones and Bartlett.

Schubert, G., Smith, R. & Trentadue, J. (1986). *Sports law*. St. Paul, MN: West Publishing Company.

Sharp, L., Moorman, A., & Claussen, C. (2012). *Sport law: A managerial approach*. Scottsdale, AZ: Holcomb Hathaway Publishers.

Weiler, P. & Roberts, G. (1991). *Cases, materials and problems on sports and the law*. St. Paul, MN: West Publishing Company.

Yasser, R., McCurdy, J.R., & Goplerud, C.P. (2003). *Sports law: Cases and materials*. (5<sup>th</sup> ed.). Cincinnati: Anderson.

*New Catalog Description*

HPED 460 Law and Issues in Managing Sport

3c-0l-3cr

Prerequisite: HPED 292

Emphasizes the interaction between the legal system and the sport industry. Topics include liability risk management, contracts, torts, sports agents, dispute resolution, and product liability. A focus on the influence of Title IX, antitrust exemption, religion, drug testing, and ergogenic aids on sport operations. The evolution of NCAA compliance and the issues that social media has on managing sport is included.

## **2. Summary of proposed revisions**

HPED 460 Law and Issues in Managing Sport will expand from a 2 credit course to a 3 credit course so that additional content can be added to the course to address NCAA Compliance issues and issues related to electronic communication technology and problems created by misuse by athletes, coaches, and sport managers.

Two Course Outcomes have been added:

Analyze the cause and effect of NCAA compliance related to management of a collegiate athletic program.

Construct a plan to manage ethical issues created by the emergence of social media.

## **3. Rationale for Revision**

The Advisory Committee for the Sport Administration Program suggested that these two content areas be placed in this course. The committee is composed of professionals in the sports industry from a variety of organizations.



#### 4. Old Syllabus of Record

### OLD SYLLABUS OF RECORD

#### X. Catalog Description

HPED 460 Law and Issues in Managing Sport	2 class hours 0 lab hours 2 credits 2c-0l-2cr
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Emphasizes the interaction between the legal system and the sport industry. Topics include liability risk management, contracts, torts, sports agents, dispute resolution, and product liability. A focus on the influence of Title IX, antitrust exemption, religion, drug testing, and ergogenic aids on sport operations.

Prerequisite: HPED 292

#### XI. Course Objectives

Upon completion of this course the student will be able to:

1. explain how a sports manager can minimize exposure to negligence.
2. describe the impact of tort law on the operation of a sport organization.
3. construct a plan to protect the organization from a negligent act.
4. apply strategies of negotiating a sports contract.
5. identify the influence of sports agents on sports organizations.
6. apply the standards of the Americans with Disabilities Act.
7. develop a plan to mediate a legal conflict.
8. analyze the influence of religion, drug testing, and Title IX on the sport industry.

#### XII. Detailed Course Outline

A. Introduction to Legal System	2 hours
1. American law system	
2. International law	
3. Legal terminology	
B. Sport Torts	4 hours
1. Negligence	
2. Contributory negligence	
3. Spectator injuries	
4. Wrongful death	
5. Torts and waivers	
6. Product liability	
C. Protection From Liability Judgments	3 hours
1. Insurance coverage	
2. Warnings	

3. Risk management planning
  4. Workers compensation
  5. Staff training
  6. Supervision
- D. Sport Agents and Contracts 3 hours
1. Contract law
  2. Fraud
  3. Service contracts
  4. Breach of contract
  5. Rules of sports agents
  6. State regulations
- E. Disabilities and Sports 3 hours
1. Relevant statutes
  2. Rehabilitation act
  3. American with Disabilities Act
  4. Exam
- F. Intellectual Property Issues in Sport 2 hours
1. Copyright
  2. Licensing trademarks
  3. Mascots and trademarks
  4. Consumer protection
- G. Dispute Resolution in Sport 2 hours
1. Arbitration
  2. Mediation
- H. Religion and Sport 1 hour
1. First amendment
  2. Prayers and religious expression
- I. Drugs, Alcohol, and Ergogenic Aids in Sport 2 hours
1. Performance enhancing drugs
  2. Drug testing
  3. NCAA regulations
  4. Professional sports regulations
- J. Antitrust and Labor Issues in Sport 2 hours
1. Federal antitrust law
  2. Historical framework of antitrust in sport
  3. Current labor issues in professional sport
  4. Salary caps
- K. Title IX and Sport 3 hours
1. Fundamentals of Title IX

2. Compliance issues

L. International Sport 1 hour

1. Olympic movement
2. International sport federations
3. International legal issues
4. Exam

M. Culminating Activity 2 hours

**XIII. Evaluation Methods**

Evaluation of the students will consist of:

Examinations	30%
Article Critiques	30%
Research Paper	25%
Pro and Con Panel Presentation	15%

Students will critique articles, participate on a pro and con panel, complete a research paper and complete examinations of course content.

**XIV. Example Grading Scale**

Grading Scale:

90 – 100 %	A
80 – 89 %	B
70 – 79%	C
60 – 69%	D
Below 60%	F

**XV. Attendance Policy**

Appropriate attendance is a necessity for success in this course. For that reason an attendance policy will be used that may influence a student's success in the course. A large number of assignments and projects will take place during class meetings. Therefore, a student who misses these activities will jeopardize their success in the course.

**XVI. Required Textbook**

Epstein, A. (2003). *Sports law*. Clifton, NY: Thomson.

*Street and Smith's Sports Business Journal*. Current subscription.

*The NCAA news*. Current subscription.

**XVII. Special Resource Requirements**

None

## **XVIII. Bibliography**

- Appenzeller, H. (1998). *Risk management in sport: Issues and strategies*. Durham, NC: Carolina Academic.
- Carpenter, L.J. (2005). *Title IX*. Champaign, IL: Human Kinetics.
- Cotton, D.J., Wolohan, J.T., & Wilde, T.J. (2003). *Law for recreation and sport managers*. (3<sup>rd</sup> ed.). Dubuque, IA: Kendall Hunt.
- Morgan, W.J., Meier, K.V., & Schneider, A.J. (2001). *Ethics in sport*. Champaign, IL: Human Kinetics.
- O'Brien, D.B. and Overby, J.O. (1997). *Legal aspects of sport entrepreneurship*. Morgantown, WV: Fitness Information Technology.
- Ruxin, R.H. (2004). *An athlete's guide to agents*. (4<sup>th</sup> ed.). Boston: Jones and Bartlett.
- Yasser, R., McCurdy, J.R., & Goplerud, C.P. (2003). *Sports law: Cases and materials*. (5<sup>th</sup> ed.). Cincinnati: Anderson.