



SYLLABUS

Course Information

Course Number:	KIN 281
Course Title:	Legal and Ethical Aspects of Sport
Course Code:	21260
Units:	3
Semester:	Spring 2015
Course Meeting Days:	Monday
Course Meeting Time:	4:00pm –6:45pm
Meeting Place:	MacQuarrie Hall 322
Prerequisites:	Graduate Standing

Instructor Information

Name:	Arman P. Medina
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Office Hours:	By appointment

San José State University Mission Statement

In collaboration with nearby industries and communities, SJSU faculty and staff are dedicated to achieving the university's mission as a responsive institution of the state of California: To enrich the lives of its students, to transmit knowledge to its students along with the necessary skills for applying it in the service of our society, and to expand the base of knowledge through research and scholarship.

http://www.sjsu.edu/about_sjsu/mission/

Department of Kinesiology Mission Statement

In an atmosphere of social justice, equity, and sensitivity to issues of diversity, the Department of Kinesiology seeks to:

- Assist in fulfilling the mission of San Jose State University
- Prepare exemplary professionals in the field of Kinesiology
- Promote and provide for physically active lifestyles for all
- Promote and provide for the academic study of human movement, physical activity, and sport

Additionally, the department will:

- Provide a high quality educational experience for our students
- Instill respect for lifelong learning and critical thinking
- Prepare students for life and society
- Offer a broad based and contemporary selection of activity, general education, undergraduate, and graduate courses
- Promote and provide for scholarship and professional activity
- Facilitate and promote community interaction

<http://www.sjsu.edu/kinesiology/about/>



Kinesiology Department Graduate Degree Program Student Learning Outcomes

Students will be able to:

- Synthesize information in Kinesiology and communicate it clearly and concisely in a written manner utilizing appropriate APA style.
- Synthesize information in Kinesiology and communicate it clearly and concisely in an oral manner.
- Demonstrate the acquisition of knowledge and strength in an area of study within Kinesiology through the graduate culminating experience.

http://www.sjsu.edu/kinesiology/learning_outcomes/

Student Learning Objectives (SLO)

After successfully completing the course, students will be able to demonstrate

1. Knowledge learned in this course and how it applies to real world situations.
2. A sufficient understanding of the basic principles of the U.S. legal system as it pertains to sport.
3. An understanding of the legal requirements of a sport manager and how he/she needs to lead and conduct his/her business.
4. An understanding of human resource management including: hiring, promoting and terminating team members.
5. An understanding governance issues in professional and amateur sport organizations.
6. An understanding of liabilities of workplace harassment.
7. An understanding of the importance of good working conditions and the legal aspects that surrounds it.
8. Knowledge of participant liability issues.

Expectation for Students/Course Requirements

1. All students are expected to read the assigned readings before the lecture
2. All students are expected to participate in the class discussions from the assigned readings.
3. If you chose not to subscribe to the Sports Business Daily and Sport Business Journal you are expected to locate other articles in lieu of the subscription.
4. Students are expected to attend every class and to take the exams as scheduled.
 - a. No makeup exams are given and late homework is not accepted.
 - b. Written documentation of any illness, medical emergency or death of a close relative will be the exception. Contact instructor as soon as possible.
5. Students shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith or a University Sponsored Activity with prior written notification via email to the instructor.
6. No noise-making electronic devices (lap tops, phones, calculators, etc.) are allowed.
7. Computers may only be used for class related activities.
8. Students must plan to spend a minimum of 6 hours per week outside of class time in order to complete all requirements, including readings, and submit assignments on schedule.
9. Check email on a regular basis and respond to emails in a timely manner.



Course Description

Topics include sport and its relationship to the common law of contracts and torts, the statutory law of labor and antitrust, constitutional and civil rights law, communications law and ethics.

<http://info.sjsu.edu/web-dbgen/catalog/courses/KIN281.html>

Required Text

Sharp, L.A., Moorman, A.M., & Claussen, C.L. (2014). *Sport law: A managerial approach* (3rd ed.). Scottsdale, AZ: Holcomb Hathaway.

<http://www.hh-pub.com/Sport-Law-P162.aspx>

ISBN 978-1-62159-003-3

Luchs, J. & Dale, J. (2013). *Illegal procedure: A sports agent comes clean on the dirty business of college football*. New York, NY: Bloomsbury Publishing Inc.

<http://www.bloomsbury.com/us/illegal-procedure-9781608197217/>

ISBN: 9781608197217

Case Studies in Sport Management

CSSM Volume 1, 2012 Case 4: A Case Study of Diversity and Leader Member Exchange in Intercollegiate Athletics

CSSM Volume 1, 2012 Case 8: Olympic Sport Governance Structures: The Case of Two National Governing Bodies in Gymnastics

CSSM Volume 2, 2013 Case 3: Selling to Visiting Fans at the Expense of Home Field Advantage

CSSM Volume 2, 2013 Case 4: Snakes in Sneakers: A Case Study of Organizational Politics in a NCAA Division I Athletics Program

CSSM Volume 2, 2013 Case 10: Protecting the Innocent: A Case Study of Child Protective Services in Sport and Recreation

<http://libaccess.sjlibrary.org/login?url=http://journals.humankinetics.com/cssm>

12 week subscription of the *Street & Smith's Sport Business Journal & Sport Business Daily*

- HIGHLY RECOMMENDED not Required
- Special student subscription rate \$84.
- Regular subscription for *SBD & SBJ* costs \$1,559 annually

Or 12 week subscription of the *Street & Smith's Sport Business Daily*

- RECOMMENDED not Required
- Special student subscription rate \$55.
- Regular subscription for *Sport Business Daily* costs \$440 for 12 weeks

Use link below to purchase subscription:

www.sbjcollege.com/subscribe

CANVAS and MYSJSU Messaging

Course materials such as the course syllabus and major assignment handouts will be located on CANVAS) the content management system we use at SJSU. You are responsible for regularly checking with the messaging system through MySJSU (or other communication system as indicated by your instructors).



Grading Schedule

Class Participation	100
Sport Current Events	100
Textbook Chapter Presentations	200
Book Chapter Presentations	100
Team Case Study Presentations	50
Individual Case Study Presentations	100
Final Paper Outline & References	50
Final Paper	250
<u>Final Paper Presentations</u>	<u>50</u>
Total	1000

*Detailed instructions for each assignment will be given during class including grading criteria

Grading Scale

97-100	A+
94-96	A
90-93	A-
87-89	B+
84-86	B
80-83	B-
77-79	C+
74-76	C
70-73	C-
67-69	D+
64-66	D
60-63	D-
0-59	F

Scale may be curved if it is to the advantage of the students.

Grading in KIN Graduate Coursework. The following points should be carefully considered throughout your graduate degree journey:

- Students may not count a grade of C- or lower towards graduation, and such a grade cannot be included on the student's final candidacy form. Students receiving a grade of C- or lower in a course must take another course to substitute on the final candidacy form.
- Students must maintain an overall GPA of 3.0 at all times. Failure to do so will result in the student being placed on academic probation, at which time the student will be required to raise his or her GPA above the 3.0 minimum the following semester or risk disqualification from the program.

http://www.sjsu.edu/kinesiology/docs/KIN_Grad_Handbook_12-13.pdf

San José State University Policies

All SJSU Policies in the Catalog, Schedule of Classes and Academic Senate apply to this course. <http://info.sjsu.edu/static/catalog/policies.html>

Dropping and Adding

Students are responsible for understanding the policies and procedures about add/drop, grade forgiveness, etc. Refer to the current semester's catalog policies.

<http://info.sjsu.edu/static/catalog/policies.html>



Add/drop deadlines can be found

<http://www.sjsu.edu/registrar/calendar/2144/index.html>

Students should be aware of the current deadlines and penalties for dropping classes.

Information about the latest changes and news is available at the Advising Hub

<http://www.sjsu.edu/advising/>

Academic Integrity

Students should know that the University's Academic Integrity Policy is available at

<http://info.sjsu.edu/static/catalog/integrity.html>

Your own commitment to learning, as evidenced by your enrollment at San José State University and the University's integrity policy, require you to be honest in all your academic course work. Faculty members are required to report all infractions to the office of Student Conduct and Ethical Development. <http://www.sjsu.edu/studentconduct/>

Instances of academic dishonesty will not be tolerated. Cheating on exams or plagiarism (presenting the work of another as your own, or the use of another person's ideas without giving proper credit) will result in a failing grade and sanctions by the University. For this class, all assignments are to be completed by the individual student unless otherwise specified. If you would like to include in your assignment any material you have submitted, or plan to submit for another class, please note that SJSU's Academic Policy F06-1 requires approval of instructors.

Campus Policy in Compliance with the American Disabilities Act

If you need course adaptations or accommodations because of a disability, or if you need to make special arrangements in case the building must be evacuated, please make an appointment with me as soon as possible, or see me. Presidential Directive 97-03 requires that students with disabilities requesting accommodations must register with the Accessible Education Center <http://www.sjsu.edu/aec/>.

Course Schedule

The dates below correspond to when each assignment is due.

Week 1

Monday 1/26/15 Introductions
Review Syllabus

Week 2

Monday 2/2/15 Sport Current Events – **GROUP 5**
Sport Law: A Managerial Approach Chapter 1 – **GROUP 1**
Introduction to the Managerial Law Approach
Sport Law: A Managerial Approach Chapter 2 – **GROUP 2**
Managerial Strategies to Minimize Liability
Sport Law: A Managerial Approach Chapter 3 – **GROUP 3**
The U.S. Legal System and Legal Research

Week 3

Monday 2/9/15 Sport Current Events – **GROUP 3**
Sport Law: A Managerial Approach Chapter 4 – **GROUP 4**
Employment Relations Issues
Sport Law: A Managerial Approach Chapter 5 – **GROUP 5**



Employer Liability for Actions of Employees and Others

CSSM Volume 1, 2012 - **GROUP 1**

Case 4: A Case Study of Diversity and Leader Member Exchange in Intercollegiate Athletics

Week 4
Monday

2/16/15

Sport Current Events – **GROUP 4**

Sport Law: A Managerial Approach Chapter 6 – **GROUP 1**
Hiring, Promotion, and Termination Decisions

Sport Law: A Managerial Approach Chapter 7 – **GROUP 2**
Illegal Procedure Forward, Intro & Chapter 1 – **GROUP 5**

Congratulations Mrs. Luchs, it's a 7-pound 9-ounce sports agent

CSSM Volume 1, 2012 – **GROUP 3**

Case 8: Olympic Sport Governance Structures: The Case of Two National Governing Bodies in Gymnastics

Week 5
Monday

2/23/15

Sport Current Events – **GROUP 2**

Sport Law: A Managerial Approach Chapter 8 – **GROUP 3**
Working Conditions

Sport Law: A Managerial Approach Chapter 9 – **GROUP 4**
Labor Relations/Collective Bargaining

Illegal Procedure Chapter 2 – **GROUP 1**

I'm an agent; now all I need is a client

CSSM Volume 2, 2013 – **GROUP 5**

Case 3: Selling to Visiting Fans at the Expense of Home Field Advantage

Week 6
Monday

3/2/15

Final Paper Outline & References **Due on CANVAS 2:00pm**

Sport Current Events – **GROUP 4**

Sport Law: A Managerial Approach Chapter 10 – **GROUP 5**
Law of Agency and Athlete Agents

Sport Law: A Managerial Approach Chapter 11 – **GROUP 1**
Governance Issues in Professional Sport

Illegal Procedure Chapter 3 – **GROUP 3**

Paying a player is like losing your virginity. You can never go back.

CSSM Volume 2, 2013 – **GROUP 2**

Case 4: Snakes in Sneakers: A Case Study of Organizational Politics in a NCAA Division I Athletics Program

Week 7
Monday

3/9/15

Sport Current Events – **GROUP 1**

Sport Law: A Managerial Approach Chapter 12 – **GROUP 2**
Governance Issues and Regulation of Participation in Olympic Sport

Sport Law: A Managerial Approach Chapter 13 – **GROUP 3**



Governance Issues in High School and College Athletics

Illegal Procedure Chapter 4 – **GROUP 5**

Call the Doctor: Harold “Doc” Daniels

CSSM Volume 2, 2013 – **GROUP 4**

Case 10: Protecting the Innocent: A Case Study of Child Protective Services in Sport and Recreation

Week 8 Monday	3/16/15	Sport Current Events – GROUP 1 <u>Sport Law: A Managerial Approach</u> Chapter 14 – GROUP 4 Regulation of Participation in Private Clubs and High School and College Athletics <u>Sport Law: A Managerial Approach</u> Chapter 15 – GROUP 5 Participant Liability Issues <u>Illegal Procedure</u> Chapter 5 – GROUP 2 Sudden Death
Week 9 Monday	3/23/15	No Class Spring Recess
Week 10 Monday	3/30/15	Sport Current Events – GROUP 3 <u>Sport Law: A Managerial Approach</u> Chapter 16 – GROUP 1 Premises Liability and Sport Facility/Event Issues <u>Illegal Procedure</u> Chapter 6 – GROUP 4 Post-Doc: Doing Things Less Wrong Individual Case Study - Members of GROUP 2
Week 11 Monday	4/6/15	Sport Current Events – GROUP 5 <u>Sport Law: A Managerial Approach</u> Chapter 17 – GROUP 2 Use of Waivers and Exculpatory Clauses <u>Illegal Procedure</u> Chapter 7 – GROUP 3 Going Hollywood Individual Case Study - Members of GROUP 4
Week 12 Monday	4/13/15	Sport Current Events – GROUP 1 & 2 <u>Sport Law: A Managerial Approach</u> Chapter 18 – GROUP 3 Participant Violence in Sports <u>Illegal Procedure</u> Chapter 8 – GROUP 4 Luchs v. Wichard Individual Case Study - Members of GROUP 5
Week 13 Monday	4/20/15	Class Rescheduled to 6:30pm (NOT MANDATORY BUT HIGHLY RECOMMENDED) San Jose Giants vs. Inland Empire Municipal Stadium, 588 East Alma Ave., San Jose, CA 95112



Week 14
Monday 4/27/15 Sport Current Events – **GROUPS 3 & 5**
Sport Law: A Managerial Approach Chapter 19 – **GROUP 4**
Development and Protection of Intellectual Property
Illegal Procedure Chapter 9 – **GROUP 2**
Coming Clean
Individual Case Study - Members of **GROUP 1**

Week 15
Monday 5/4/15 Sport Current Events – **GROUPS 2 & 4**
Sport Law: A Managerial Approach Chapter 20 – **GROUP 5**
Promotional and Operational Issues in Marketing
Illegal Procedure Chapter 10 & Postscript – **GROUP 1**
Can This Sport Be Saved?
Individual Case Study - Members of **GROUP 3**

Week 16
Monday 5/11/15 Final Paper - Peer Review

Finals Week
Monday 5/18/15 5:15pm – 7:30pm
Final Paper **Due on CANVAS at 2:00pm**
Final Paper Presentations

Class Participation

- 100 points
- THIS IS NOT AN ATTENDANCE GRADE
- This class relies on participation
- If you are not here you cannot participate
- You must have a question prepared for the current chapter or case study
 - You will be called on randomly
- You are expected to participate in Sport Current Events
 - You should have a sport article to discuss each class
- Point Breakdown
 - 0 missing participation 100 points
 - 1 missing participation 95 points
 - 2 missing participation 75 points
 - 3 missing participation 55 points
 - 4 missing participation 0 points

Sport Current Events

- 100 points
- This is an open discussion using Sport Business Daily as a primary source
- Everyone should have an article to discuss each class
- Groups will be responsible to lead three class discussions on Sport Current Events
 - Each member must have a couple articles to discuss
 - See Course Schedule for dates
 - 33, 33 and 34 points respectively for each of the three times your group leads the discussion
 - 0 points if you miss class when your group is leading the discussion



Textbook Chapter Presentations

- 200 points
- Your group will make presentations four times at 50 points each
- Everyone should read the chapter and have one question for the discussion
- Your group will lead the discussion on your assigned chapter
 - Recap chapter
 - Explain key concepts
 - Review new vocabulary
 - How do you apply this to real world situations?
 - Presentation slides are expected
 - Handouts are not necessary
 - See Course Schedule for dates
 - 0 points if you miss class when your group is presenting the chapter

Book Chapter Presentations

- 100 points
- 33, 33 and 34 points respectively for each of the three times your group leads the discussion
- Everyone should read the chapter and have one question for the discussion
- Your group will lead the discussion on your assigned chapter
 - Recap chapter
 - How does this relate to the textbook?
 - Presentation slides are expected
 - Handouts are not necessary
 - See Course Schedule for dates
 - 0 points if you miss class when your group is presenting the chapter

Team Case Study Presentations

- 50 points
- Everyone should read the case study and have one question for the discussion
- Your group will lead the discussion on your assigned case study
 - Recap the case study
 - Explain key concepts
 - How do you apply this to real world situations?
 - Presentation slides are not necessary
 - Handouts are not necessary
 - See Course Schedule for dates
 - 0 points if you miss class when your group is presenting the case study

Individual Case Study Presentations

- 100 points
- You will pick a case study or a sport related law case
- You will lead the discussion on your choice
 - Recap the case study or a sport related law case
 - Explain key concepts
 - How do you apply this to real world situations?
 - Presentation slides are not necessary
 - Handouts are not necessary
 - See Course Schedule for dates



- 0 points if you miss class when your group is presenting the case study

Final Paper Outline & References

- 50 points
- Due Monday 3/2/15 2:00pm on CANVAS as a pdf file
- Outline format or a couple of paragraphs to introduce your paper.
- Include your preliminary thesis statement
- Include potential references
- Please see the instructions for the Final Paper

Final Paper

- 350 points
- Due Monday 5/18/15 2:00pm on CANVAS as a pdf file
- Open topic related to class
- At least 15 pages not including cover or references
- APA Format
- Must use three citations from the book
 - Citations must be tied in to the paper
 - The paper cannot have random quotes
- Must use two scholarly references
 - References must be tied in to the paper
 - The paper cannot have random quotes
 - Sports Illustrated and the New York Times is not scholarly
- Avoid Common Point Deductions
 - Follow assignment directions
 - 15 pages not 14.5 or 14.75 pages
 - Proper APA
 - 1 inch margins
 - Spelling or Grammatical errors

Presentation of Paper

- 50 points
- Recap of paper
- Timed 4 to 6 minute presentation
- Point deductions for going under or over time limit
- This should be a professional presentation that has been rehearsed several times

Disclaimer

This syllabus is subject to modification. The instructor will communicate with students on any changes.